



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

CALL TO ORDER: COMMISSIONERS' BRIEFING, 5:38 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ATTENDANCE:

PRESENT: VICE CHAIRMAN NIGRO, MEMBERS LAURA McSWAIN, LEO DAVENPORT, DAVID STEINMAN AND BYRON GOYNES (Arrived at 5:44 p.m.).

EXCUSED: CHAIRMAN TRUESDELL AND COMMISSIONER EVANS

STAFF PRESENT: MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., RICK SCHRODER – PUBLIC WORKS, GINA VENGLASS – PUBLIC WORKS, BART ANDERSON – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, YDOLEENA YTURRALDE – CITY CLERK'S OFFICE

MINUTES:

DAVID CLAPSADDLE, Planning and Development Department, referenced the following items that were requested to be held in abeyance, tabled or withdrawn without prejudice.

Item 2 [TMP-4706]	TABLED
Item 11 [SUP-4694]	Abeyance to 9/23/2004 Planning Commission meeting
Item 12 [SUP-4732]	Withdrawn Without Prejudice
Item 16 [SDR-4740]	Abeyance to 8/26/2004 Planning Commission meeting
Item 35 [GPA-4548]	Abeyance to 9/09/2004 Planning Commission meeting
Item 36 [ZON-4554]	Abeyance to 9/09/2004 Planning Commission meeting
Item 37 [VAR-4677]	Abeyance to 9/09/2004 Planning Commission meeting
Item 38 [SDR-4555]	Abeyance to 9/09/2004 Planning Commission meeting
Item 49 [MSP-4622]	Abeyance to 9/09/2004 Planning Commission meeting
Item 50 [MOD-4632]	Abeyance to 8/26/2004 Planning Commission meeting
Item 51 [WVR-4754]	Abeyance to 8/26/2004 Planning Commission meeting
Item 52 [SDR-4751]	Abeyance to 8/26/2004 Planning Commission meeting
Item 65 [SUP-4728]	Abeyance to 9/09/2004 Planning Commission meeting
Item 66 [SDR-4727]	Abeyance to 9/09/2004 Planning Commission meeting
Item 74 [SDR-4730]	TABLED

MR. CLAPSADDLE pointed out that at the 08/26/04 Planning Commission meeting, Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] will need to be held in abeyance again. A waiver has to be advertised, as the publishing has already been completed for the 08/26/04 Planning Commission meeting.

City of Las Vegas

Regarding Item 2 [TMP-4706] and Item 74 [SDR-4730], staff has received a letter from the master developer, and the applicant has agreed to table these two items to allow staff and all parties involved to meet and review this project. There are some design issues with this project and some documents have not been recorded.

Regarding Item 9 [SUP-4690], staff received a letter of protest so the item was pulled from one motion one vote.

Regarding Item 17 [SDR-4749], staff received a phone protest so the item was pulled from one motion one vote.

Regarding Item 18 [VAC-4700], the item was pulled from one motion one vote so a discussion could take place concurrently with Item 53 [ZON-4699], as it is a rezoning application.

Regarding Item 76 [VAC-4071], the representative requested that this item be moved up on the agenda, as the representative has a previous travel commitment.

Regarding Item 77 [DIR-4859], staff requested that this item be moved up on the agenda, as the consultant was in attendance and appreciated the item being heard after the consent or one-motion one-vote items.

Regarding Item 48 [SDR-4604], the applicant had sat in a previous Planning Commission meeting for several hours only to have the item held in abeyance. Therefore, the applicant was advised that the item would be moved up on the agenda at this meeting.

GINA VENGLASS, Public Works, stated that on Item 7 [SDR-4687], one condition was inadvertently left off and would be added at this meeting. In addition, on Item 53 [ZON-4699], a condition regarding wall height would be added as well.

COMMISSIONER McSWAIN questioned if Item 14 [SDR-4726] had a revised Site Plan in the back up docs, because changes were being made on this Site Plan, such as the project would be revised to two buildings and the higher intensity uses, such as the fast food, would be eliminated. GARY LEOBOLD, Planning and Development, responded that the revised Site Plan, including the elevations, are included in their back up.

She also asked about Item 16 [SDR-4740]. Staff agreed to a condition that allowed the applicant to decrease the depth of the landscape buffer along Hoover Street to use the existing curb cut. MR. CLAPSADDLE responded that the applicant requested to hold this item for two weeks. He also clarified with COMMISSIONER McSWAIN and assured her that he would address her concern to ensure that the landscaping eventually took place, since there was not a specified date or deadline.

City of Las Vegas

MR. CLAPSADDLE reiterated for COMMISSIONER McSWAIN that Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] will need to be held in abeyance again, but there are no changes to the applications at this time.

COMMISSIONER McSWAIN requested that Item 10 [SUP-4693] be pulled from one motion one vote so a discussion could take place.

COMMISSIONER STEINMAN requested that Item 25 [VAC-4747] be pulled from one motion one vote so a discussion could take place.

MEETING ADJOURNED AT 5:47 P.M.



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING PRESENTED LIVE ON KCLV, CABLE CHANNEL 2. THE PLANNING COMMISSION MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE CITY'S INTERNET AT www.kclv.tv. THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB SATURDAY AT 10:00 AM, THE FOLLOWING MONDAY AT MIDNIGHT AND TUESDAY AT 5:00 PM.

PLEDGE OF ALLEGIANCE was led by VICE CHAIRMAN NIGRO

CALL TO ORDER: 6:03 P.M. in Council Chambers of City Hall, 400 Stewart Avenue, Las Vegas, Nevada

ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: VICE CHAIRMAN TODD NIGRO, MEMBERS BYRON GOYNES, LAURA McSWAIN, LEO DAVENPORT AND DAVID STEINMAN

EXCUSED: CHAIRMAN TRUESDELL AND COMMISSIONER EVANS

STAFF PRESENT: ROBERT GENZER – PLANNING & DEVELOPMENT DEPT., MARGO WHEELER – PLANNING & DEVELOPMENT DEPT., DAVID CLAPSADDLE – PLANNING & DEVELOPMENT DEPT., GARY LEOBOLD – PLANNING & DEVELOPMENT DEPT., BART ANDERSON – PUBLIC WORKS, RICK SCHRODER – PUBLIC WORKS, GINA VENGLASS – PUBLIC WORKS, BRYAN SCOTT – CITY ATTORNEY'S OFFICE, ARLENE COLEMAN – CITY CLERK'S OFFICE, YDOLEENA YTURRALDE – CITY CLERK'S OFFICE

(6:03 – 6:04)



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

SUBJECT:

Approval of the minutes of the July 8, 2004, Planning Commission Meeting

MOTION:

GOYNES - APPROVED - UNANIMOUS

MINUTES:

There was no discussion.

(6:04)

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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

VICE CHAIRMAN NIGRO announced the subdivision items could be appealed by the applicant or aggrieved person or a review requested by a member of the City Council.

ACTIONS:

ALL ACTIONS ON TENTATIVE AND FINAL SUBDIVISION MAPS ARE FINAL UNLESS AN APPEAL IS FILED BY THE APPLICANT OR AN AGGRIEVED PERSON, OR A REVIEW IS REQUESTED BY A MEMBER OF THE CITY COUNCIL WITHIN SEVEN DAYS OF THE DATE NOTICE IS SENT TO THE APPLICANT. UNLESS OTHERWISE INDICATED DURING THE MEETING, ALL OTHER ACTIONS BY THE PLANNING COMMISSION ARE RECOMMENDATIONS TO THE CITY COUNCIL, IN WHICH CASE ALL FINAL DECISIONS, CONDITIONS, STIPULATIONS OR LIMITATIONS ARE MADE BY THE CITY COUNCIL.

VICE CHAIRMAN NIGRO read the statement on the order of the items and the time limitations on persons wishing to be heard on an item.

ANY ITEM LISTED IN THIS AGENDA MAY BE TAKEN OUT OF ORDER IF SO REQUESTED BY THE APPLICANT, STAFF, OR A MEMBER OF THE PLANNING COMMISSION. THE PLANNING COMMISSION MAY IMPOSE TIME LIMITATIONS, AS NECESSARY, ON THOSE PERSONS WISHING TO BE HEARD ON ANY AGENDA ITEM.



AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

VICE CHAIRMAN NIGRO noted the Rules of Conduct.

PLANNING COMMISSION MEETING RULES OF CONDUCT.

1. Staff will present each item to the Commission in order as shown on the agenda, along with a recommendation and suggested conditions of approval, if appropriate.
2. The applicant is asked to be at the public microphone during the staff presentation. When the staff presentation is complete, the applicant should state his name and address, and indicate whether or not he accepts staff's conditions of approval.
3. If areas of concern are known in advance, or if the applicant does not accept staff's conditions, the applicant or his representative is invited to make a brief presentation of his item with emphasis on any items of concern.
4. Persons other than the applicant who support the request are invited to make brief statements after the applicant. If more than one supporter is present, comments should not be repetitive. A representative is welcome to speak and indicate that he speaks for others in the audience who share his view.
5. Objectors to the item will be heard after the applicant and any other supporters. All who wish to speak will be heard, but in the interest of time it is suggested that representatives be selected who can summarize the views of any groups of interested parties.
6. After all objectors' input has been received, the applicant will be invited to respond to any new issues raised.
7. Following the applicant's response, the public hearing will be closed; Commissioners will discuss the item amongst themselves, ask any questions they feel are appropriate, and proceed to a motion and decision on the matter.
8. Letters, petitions, photographs and other submissions to the Commission will be retained for the record. Large maps, models and other materials may be displayed to the Commission from the microphone area, but need not be handed in for the record unless requested by the Commission.

As a courtesy, we would also ask those not speaking to be seated and not interrupt the speaker or the Commission. We appreciate your courtesy and hope you will help us make your visit with the Commission a good and fair experience.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-3624 - DECATUR III - APPLICANT: R & S INVESTMENT GROUP - OWNER: DECATUR III, LIMITED LIABILITY COMPANY
- Request for a Tentative Map FOR A TWO-LOT COMMERCIAL SUBDIVISION on 27.38 acres adjacent to the northwest corner of Decatur Boulevard and Tropical Parkway (APN: 125-25-601-022 and 023), R-E (Residence Estates) Zone under Resolution of Intent to C-1 (Limited Commercial), Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED Consent Item 1 [TMP-3624], Item 3 [TMP-4729], Item 4 [TMP-4753] and Item 5 [TMP-4757] subject to conditions – Motion carried with McSWAIN abstaining on Item 3 [TMP-4729] as her firm just completed work for Pacific Properties and may be bidding on another project for them and on Item 5 [TMP-4757] as her firm may be doing a project for Richmond American Homes, and TRUESEDELL and EVANS excused

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO stated this is a Consent item.
(6:10 – 6:12)

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 1 – TMP-3624

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review [Z-0018-01(1), Z-0109-97(1), and Z-0110-97(2)] and other site related actions as applicable.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

Public Works

6. Vacate any easements in conflict with this development prior to or concurrent with the recordation of a Final Map for this site.
7. Coordinate with the Clark County Department of Public Works to determine additional right-of-way requirements, if any, for the Decatur Boulevard interchange adjacent to this site prior to the issuance of any permits, or the submittal of a Final Map for technical review, whichever may occur first. Provide all such required right-of-way or easements necessary for embankment or other roadway-related purposes; provide written documentation from Clark County identifying such right-of-way, or lack thereof, prior to the issuance of any permits.
8. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings, or the recordation of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 1 – TMP-3624

CONDITIONS – Continued:

9. Site development to comply with all applicable conditions of approval for Z-0109-97 and all other subsequent site-related actions.
10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4706 - NORTHERN TERRACE AT PROVIDENCE - APPLICANT: PERMA-BILT - OWNER: LM CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A 930-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 148 acres adjacent to the northeast corner of Shaumber Road and Farm Road (APN 126-13-101-005 thru 008, 012, 014, 018, 126-13-201-005 thru 008, 013 thru 016, 126-13-501-003, 126-13-601-001, 007, and a portion of 018), PD (Planned Development) Zone [L (Low Density Residential) and ML (Medium-Low Density Residential) Cliff's Edge Special Land Use Designation], Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 2– TMP-4706

MOTION – Continued:

NOTE: Prior to being advised that the item would be tabled, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4729 - CHATEAU VERSAILLES CONDOMINIUMS - APPLICANT: PACIFIC PROPERTIES - OWNER: CHATEAU ALEXANDER, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A PROPOSED 371-UNIT CONDOMINIUM SUBDIVISION on 21.2 acres adjacent to the northwest corner of Alexander Road and the Las Vegas Beltway (APN 137-01-401-014), PD (Planned Development) Zone [Multi-Family Medium Lone Mountain West Special Land Use Designation], Ward 4 (Brown).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED Consent Item 1 [TMP-3624], Item 3 [TMP-4729], Item 4 [TMP-4753] and Item 5 [TMP-4757] subject to conditions – Motion carried with McSWAIN abstaining on Item 3 [TMP-4729] as her firm just completed work for Pacific Properties and may be bidding on another project for them and on Item 5 [TMP-4757] as her firm may be doing a project for Richmond American Homes, and TRUESEDELL and EVANS excused

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO stated this is a Consent item.

(6:10 – 6:12)

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PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 3 – TMP-4729

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Site Development Plan Review (SDR-4625) and the Lone Mountain West Master Development Plan and Design Standards.
3. A waiver is granted to the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.
5. A Homeowner's Association shall be created to maintain all common areas.

Public Works

6. Add a note to the final map that on-site sewers are private and are to be privately maintained.
7. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final Map for this site regarding providing emergency access to Hickam Avenue. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
8. Site development to comply with all applicable conditions of approval for Z-0024-99 (33), SDR-4625 and all other applicable site-related actions.
9. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4753 - TREASURE LAND DEVELOPMENT - APPLICANT: AZTEC ENGINEERING - OWNER: TREASURE LAND DEVELOPMENT COMPANY, LIMITED LIABILITY COMPANY - Request for a Tentative Map FOR A SIX-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 2.93 acres adjacent to the southeast corner of Washburn Road and Maverick Street (APN 125-35-701-001, 002 & 003), U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] under Resolution of Intent to R-D (Single-Family Residential- Restricted) Zone, Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED Consent Item 1 [TMP-3624], Item 3 [TMP-4729], Item 4 [TMP-4753] and Item 5 [TMP-4757] subject to conditions – Motion carried with McSWAIN abstaining on Item 3 [TMP-4729] as her firm just completed work for Pacific Properties and may be bidding on another project for them and on Item 5 [TMP-4757] as her firm may be doing a project for Richmond American Homes, and TRUESDELL and EVANS excused

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO stated this is a Consent item.

(6:10 – 6:12)

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 4 – TMP-4753

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area included in the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. The Tentative Map shall conform to the Conditions of Approval for an approved application for Rezoning (ZON-4066). The Tentative Map shall be revised to indicate the maximum height of the homes to be one-story homes.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map reflecting the Conditions of Approval in this report shall be approved by staffs of the Planning and Development Department and Public Works Department. The Tentative Map shall be revised to reflect accurate data as noted above.
6. The development shall comply with all City Codes and State Subdivision Statutes.

Public Works

7. Petition of Vacation, VAC-4068, that includes the southern most 10 feet of Washburn Road must record prior to the recordation of a Final Map for this site.
8. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
9. Private streets shall be 37-feet from back of curb to back of curb if "L" curb is proposed or 39-feet if "roll" curb is proposed.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 4 – TMP-4753

CONDITIONS – Continued:

10. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4066, Special Use Permit SUP-4128, Petition of Vacation VAC-4068 and all other subsequent site-related actions.
11. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

TENTATIVE MAP - TMP-4757 - WHITNEY HEIGHTS - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: MICHAEL AND MICHELLE BARNEY, ET AL AND KHUSROW ROOHANI TRUST - Request for a Tentative Map FOR A 205-LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION on 15.19 acres north of Dorrell Lane, approximately 300 feet west of Durango Drive (APN 125-20-101-007, 015 & 016), T-C (Town Center) Zone [UC-TC (Urban Center Mixed Use-Town Center) Land Use Designation], Ward 6 (Mack).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED Consent Item 1 [TMP-3624], Item 3 [TMP-4729], Item 4 [TMP-4753] and Item 5 [TMP-4757] subject to conditions – Motion carried with McSWAIN abstaining on Item 3 [TMP-4729] as her firm just completed work for Pacific Properties and may be bidding on another project for them and on Item 5 [TMP-4757] as her firm may be doing a project for Richmond American Homes, and TRUESEDELL and EVANS excused

This is Final Action

MINUTES:

**VICE CHAIRMAN NIGRO stated this is a Consent item.
(6:10 – 6:12)**

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 5 – TMP-4757

CONDITIONS:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. The development shall conform to the Conditions of Approval for Rezoning (ZON-4084) and Site Development Plan Review [SDR-4088] and the Town Center Plan Development Standards.
3. Prior to submittal for a Final Map Technical Review or for review of Civil Improvement plans, whichever occurs first, a revised Tentative Map depicting these conditions of approval shall be approved by the Planning and Development Department and Public Works Department staff. In particular, the Map shall be revised to illustrate private drives as 24 feet wide.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. All development is subject to the conditions of City Departments and State Subdivision Statutes.
6. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
7. The Tentative Map shall be revised to show exterior dimensions, existing street names and a note stating no public reservations or dedications are made.

Public Works

8. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 5 – TMP-4757

CONDITIONS – Continued:

or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

9. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4084, Site Development Plan Review SDR-4088 and all other subsequent site-related actions.
10. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4688 - APPLICANT: SHIPPY, LIMITED LIABILITY COMPANY - OWNER: MEYER & SYLVIA GOLD TRUST -
Request for a Special Use Permit FOR A PROPOSED ANIMAL HOSPITAL adjacent to the south side of Charleston Boulevard, approximately 80 feet east of Wilshire Street (APN 163-01-502-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- **Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.**

– UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 6 – SUP-4688

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for an Animal Hospital.
2. Approval of and conformance to the Conditions of Approval for an accompanying Site Development Plan Review (SDR-4687).

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4688 - PUBLIC HEARING - SDR-4687 - APPLICANT: SHIPPY, LIMITED LIABILITY COMPANY - OWNER: MEYER & SYLVIA GOLD TRUST - Request for a Site Development Plan Review and a Waiver of building placement standards FOR A PROPOSED SINGLE-STORY 7,000 SQUARE-FOOT COMMERCIAL BUILDING on 0.66 acres adjacent to the south side of Charleston Boulevard approximately 80 feet east of Wilshire Street (APN 163-01-502-002 and 003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
- UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 7 – SDR-4687

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 7 – SDR-4687

CONDITIONS:

Planning and Development

1. Approval of a Special Use Permit (SUP-4688) for an Animal Hospital by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 06/11/04, except as amended by conditions herein.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. (Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.)
6. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. The trash area shall be enclosed with a roof.
7. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened and shall not create fugitive lighting on adjacent properties.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Details of the perimeter wall shall be submitted and approved by the Planning and Development Department staff prior to the issuance of a building permit. The property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 7 – SDR-4687

CONDITIONS – Continued:

11. All City Code requirements and design standards of all City departments must be satisfied.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. The entrance gate off the alley shall swing to the interior.
14. A Nevada Department of Transportation encroachment permit on Charleston Boulevard shall be secured.
15. Meet with the Flood Control Section of the Department of Public works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

Public Works

16. Coordinate with the City Surveyor to determine whether an Administrative Joining or Mapping is required to eliminate the underlying lot line bisecting this site; if such is required it should record prior to the issuance of any building permits for this site.
17. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
18. Landscape and maintain all unimproved right-of-way on Charleston Boulevard adjacent to this site.
19. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
20. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4541 - APPLICANT/OWNER: CAMINAR - LAS VEGAS - Request for a Special Use Permit FOR A PROPOSED CONVALESCENT CARE FACILITY/NURSING HOME at 2140 Vegas Drive (APN 139-20-802-007), U (Undeveloped) Zone [M (Medium Density Residential) General Plan Designation] under Resolution of Intent to R-2 (Medium-Low Density Residential) Zone, Ward 5 (Weekly).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

– UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 8 – SUP-4541

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Convalescent Care Facility/Nursing Home use.
2. Conformance to the Conditions of Approval for Site Development Plan Review (SD-0033-02).

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 8 – SUP-4541

CONDITIONS – Continued:

3. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. This use shall not include any of the uses allowed under “Transitional Living Group Home” or “Special Care Facility.”
5. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

6. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
7. Site development to comply with all applicable conditions of approval for Z-0066-02, SD-0033-02 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4690 - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: RICHARD E WILKIE REVOCABLE TRUST - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 2001 Western Avenue (APN 162-04-703-010), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that staff received one protest via telephone call from the property owner to the east of the proposed site. He added that this site is within an industrial area of the City and meets the standards of the Code.

KAREN RICHARDSON appeared on behalf of LUCY STEWART, who had prior travel arrangements. MS. RICHARDSON requested approval of the application based on staff's conditions.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 9 – SUP-4690

MINUTES – Continued:

COMMISSIONER GOYNES commented that the request was appropriate because it is in an industrial area and would approve of the application.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(7:08 – 7:10)

1-2355

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. This Special Use Permit shall be reviewed in two (2) years at which time the City Council may require the off-premise advertising (billboard) sign be removed. The applicant shall be responsible for notification costs of the review. Failure to pay the City for these costs may result in a requirement that the off-premise advertising (billboard) sign is removed.
3. Conformance to all Minimum Requirements under Title 19.14 for an Off-Premise Sign use and other applicable sign requirements. In particular, the sign shall be oriented away from Interstate 15 so it cannot be read from the highway.
4. The off-premise advertising (billboard) sign and its supporting structure shall be properly maintained and kept free of trash, weeds and graffiti at all times. In addition, the property owner shall keep the property properly maintained at all times. Failure to perform the required maintenance may result in fines and/or removal of the off-premise advertising (billboard) sign.
5. The off-premise advertising (billboard) sign support pole shall be designed to include finish materials to complement the existing on-site buildings.
6. Only one advertising sign is permitted per sign face.
7. The entire face-area of both sides of the off-premise advertising (billboard) sign shall be signage area or its border framework; none of the supporting structure shall be visible aside from the support pole.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 9 – SUP-4690

CONDITIONS – Continued:

8. If the off-premise advertising (billboard) sign structure is removed, this Special Use Permit shall be expunged and a new off-premise advertising (billboard) sign structure shall not be erected in the same location unless: (1) a new Special Use Permit is approved for the new structure by the City Council, or (2) the location is in compliance with all applicable standards of Title 19 of the Las Vegas Municipal Code including, but not limited to, distance separation requirements, or (3) a Variance to the applicable standards of Title 19 has been approved for the new structure by the City Council.
9. All City Code requirements and design standards of all City Departments shall be satisfied.

Public Works

10. The off-premise advertising (billboard) sign shall not be located within public right-of-way, existing or proposed public sewer or drainage easements, or interfere with Site Visibility Restriction Zones.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4693 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: THOMAS J. OBATA - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 6431 West Charleston Boulevard (APN 163-02-114-003), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS with TRUESDELL and EVANS excused

This is Final Action unless appealed within 10 days

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development Department, stated that the billboard location would be west of the Charleston Boulevard and Torrey Pines intersection.

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of JAY BROWN, who was out of town. MS. RICHARDSON stated that the billboard sign would be appropriate for the area, given that it would be located in an area with high traffic. She requested approval based on staff's conditions.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 10 – SUP-4693

MINUTES – Continued:

MICHAEL FELDMAN, 6475 W. Charleston Boulevard, stated that this area is a mixed residential and commercial area located west of their property, St. Charleston Apartments, which is a 512-apartment homes community. He spoke on behalf of the Manager of the St. Charleston Apartments, who is in total opposition of this proposed application. The billboard would be in plain view of some of the residents. He used the overhead to point out other large apartment complexes and felt that billboard signs were sufficiently represented in this area. He felt that this area is mature and seeking redevelopment, as the upcoming developments for this area are architecturally and aesthetically pleasing and are not a blight in this area.

JUANITA CLARK, appeared on behalf of Charleston Neighborhood Preservation, and concurred with MR. FELDMAN. She added that the residents would like to see signs, in general, but not billboards. In addition, they preferred to see the billboard signs in an alternate direction on Charleston Boulevard and requested the Commission to not approve the application.

COMMISSION McSWAIN commented that this billboard sign would create visual clutter and is close to residential area. She felt that the proposed sign would be contrary to an area that has had significant improvement. She stated she would not support the application.

COMMISSIONER STEINMAN commented that this location is not the appropriate area for the proposed billboard, and he would not support the application.

In response to COMMISSIONER GOYNES' question regarding staff's reason for recommending approval of this application, MR. CLAPSADDLE replied that the application meets the standards of the Code. He added that the other billboard to the west and the south side of Charleston Boulevard is closer to the apartment complex than the proposed billboard.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(7:10 – 7:17)

1-2428

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4694 - APPLICANT: ORION OUTDOOR MEDIA - OWNER: RICHARD AND BARBARA STIMAC AND KAY RODRIGUEZ - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 7075 West Craig Road (APN 138-03-701-003), C-1 (Limited Commercial) Zone Ward 6 (Mack).

ABEYANCE TO 9/23/04 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 9/23/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 11– SUP-4694

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4732 - APPLICANT: LAMAR ADVERTISING COMPANY - OWNER: FASSIO FAMILY, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1040 South Rainbow Boulevard (APN 138-34-820-008), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 12– SUP-4732

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4657 - APPLICANT: INDIGO ARCHITECTURE, INC. - OWNER: ISHIMARU, LIMITED LIABILITY COMPANY AND DESERT MOUNTAIN ENTERPRISES, INC. - Request for a Site Development Plan Review and a Waiver from foundation landscaping requirements FOR A PROPOSED 8,400 SQUARE-FOOT OFFICE/RETAIL BUILDING on 0.93 acres adjacent to the north side of Lake Mead Boulevard, approximately 230 feet west of Harbor Island Drive (APN 138-20-611-006), C-1 (Limited Commercial) Zone, Ward 4 (Brown).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- **Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.**
- UNANIMOUS with TRUESDELL and EVANS excused**

To be heard by the City Council on 9/15/2004

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 13 – SDR-4657

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 13 – SDR-4657

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 06/09/04, except as amended by conditions herein.
3. A Waiver of foundation landscaping requirements is hereby approved.
4. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5% of the total landscaped area as turf, if necessary.
6. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Construct sidewalk along the private drive on the west side of this site concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on Lake Mead Boulevard to the first intersection of the on-site roadway network or an alternately acceptable access route; the connecting sidewalk shall be terminated on-site with a handicap ramp.
9. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
10. In accordance with the intent of a commercial subdivision, this pad site shall allow for the perpetual common access between the various parcels/owners within the South Shores Center Commercial Subdivision.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 13 – SDR-4657

CONDITIONS – Continued:

11. Per the previously approved Traffic Impact Analysis, contribute \$4,225.00 prior to the issuance of any building or off-site permits. The City reserves the right to utilize the contributed traffic monies for the installation or improvement of traffic signals at any intersection within this general vicinity, which is impacted by this development.
12. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, or the submittal of any construction drawings for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
13. Site development to comply with all applicable conditions of approval for Z-0003-89 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4726 - APPLICANT: PHD PROPERTIES, INC. - OWNER: CENTENNIAL COURT, LIMITED LIABILITY COMPANY - Request for a Major Amendment to an approved Site Development Plan Review [Z-0074-99(1)] FOR TWO PROPOSED PAD SITES TOTALLING 16,000 SQUARE FEET, WHERE THREE PAD SITES TOTALLING 10,754 SQUARE FEET HAD BEEN APPROVED on 3.56 acres adjacent to the northeast corner of Sky Pointe Drive and Buffalo Drive (APN 125-21-711-004 and 005), C-2 (General Commercial) Zone under Resolution of Intent to T-C (Town Center) and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to T-C (Town Center), Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- **Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.**

– UNANIMOUS with TRUESELL and EVANS excused

To be heard by the City Council on 9/15/2004

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 14 – SDR-4726

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4731 - APPLICANT/OWNER: NEVADA LAW FOUNDATION - Request for a Site Development Plan Review and Waivers to allow a trash enclosure to be 10 feet from a residential property line where 50 feet is the minimum required, and of the Perimeter Landscaping Standards FOR A PROPOSED 1,388 SQUARE-FOOT PROFESSIONAL OFFICE on 0.16 acres at 500 South 7th Street (APN 139-34-710-027), R-1 (Single-Family Residential) Zone under Resolution of Intent to P-R (Professional Office and Parking) Zone, Ward 1 (Moncrief).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that this application would convert an existing 1,388 square-foot residence into an office, with six parking spaces located behind the building. There would not be any significant changes to the building itself; however, there would be new ramps installed to meet the handicap access standards, and the existing landscaping would be preserved.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 15 – SDR-4731

MINUTES – Continued:

Due to the size and configuration of the lot, there are waivers for the trash enclosure to be 10 feet where 50 feet is required and for the perimeter landscaping.

BARRY GREEN, 3531 E. Russell Road, Suite I, appeared on behalf of the owner. He stated that two ramps would be installed. One would be coming in from the parking lot and staff recommended another ramp coming in off of 7th Street. The applicant requested moving back the walkway off of 7th Street and allow it to attach to the sidewalk, so that there would only be one ramp going up to the building. MR. CLAPSADDLE clarified with MR. GREEN that the applicant's request is the ramp from 7th Street through the front of the building would not exist, and the walkway off of 7th Street would be extended to the south of the building. This way, the walkway would tie in to the ramp that would be coming in from the parking lot. MARGO WHEELER, Planning and Development, stated the question would be if the Uniform Building Code required the extra handicap access from the public right-of-way. If not, then staff would not object to this request. MR. CLAPSADDLE added that it is standard that the applicant is sent to the Building Department, and if the handicap access standards are met, then the applicant is allowed to proceed.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing open.

(7:17 – 7:23)

1-1266

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 08/12/04, except as amended by conditions herein.
3. A Waiver to the perimeter landscape buffer requirements is approved. Landscape buffers, additional landscape materials, and the perimeter fence shall be provided in accordance with the approved plan. The landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
4. No additional turf shall be permitted in the landscape buffer areas or amenity zones.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 15 – SDR-4731

CONDITIONS – Continued:

5. The Waiver of the distance separation requirement for the trash enclosure is approved. The enclosure shall be built in the location and to the specifications indicated on the approved site plan.
6. All mechanical equipment and air conditioners shall be fully screened in views from the abutting streets and adjacent properties in accordance with the requirements of Title 19.08.045.
7. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

8. Coordinate with the City of Las Vegas Engineering Design Section of the Department of Public Works to determine any impacts to this site from the Bonneville/Clark Couplet project, if any, prior to the submittal of any construction drawings for this site.
9. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
10. Site development to comply with all applicable conditions of approval for Z-45-01 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4740 - APPLICANT/OWNER: M A R, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of Downtown Centennial Plan Parking Lot Landscaping Standards FOR A PROPOSED PARKING LOT on 0.26 acres at 829 South Sixth Street (APN 139-34-410-204), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

ABEYANCE TO THE 8/26/04 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 8/26/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 16– SDR-4740

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4749 - APPLICANT: CITY OF LAS VEGAS - OWNER: UNITED STATES OF AMERICA AND CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED 98,000 SQUARE-FOOT LEISURE CENTER on 16.80 acres adjacent to the northwest corner of Buffalo Drive and John Herbert Boulevard (APN a portion of 125-21-701-011, and a portion of 125-21-701-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] under Resolution of Intent to C-V (Civic) Zone, Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the item was pulled from One Motion One Vote due to staff receiving a protest via a telephone call.

MICHAEL VLAOVICH, Public Works Department, stated that the application is in conformance with the Code and agreed to staff's conditions.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 17 – SDR-4749

MINUTES – Continued:

COMMISSIONER McSWAIN stated this project was very nice and approved of the application.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing open.

(7:23 – 7:24)

1-3029

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped June 29, 2004, except as amended by conditions herein.
3. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
4. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
5. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 17 – SDR-4749

CONDITIONS – Continued:

8. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize ‘shoe-box’ fixtures and downward-directed lights. Wall pack lighting shall utilize ‘shoe-box’ fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
14. A permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

Public Works

15. Construct street improvements for Deer Springs Way adjacent to this site concurrent with development of this site. Construct incomplete half-street improvements on Buffalo Drive, including median improvements to channel and control turning movements as required by the City Traffic Engineer, adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. Provide a sanitary sewer plan showing how the existing sanitary sewer main in the old Deer Springs Way alignment will be maintained and/or how alternative sanitary sewer infrastructure will be provided to assist or replace current facilities. The plan must maintain sewer service to upstream users. All sewer mains transferring off-site effluent flows must

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 17 – SDR-4749

CONDITIONS – Continued:

- be located within dedicated rights of way or appropriate easements must be provided and maintained.
17. A Drainage Plan and Technical Drainage Study or other acceptable information must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4700 - APPLICANT: INVESTORS REALTY GROUP - OWNER: CAMPBELL 2.5, LIMITED LIABILITY COMPANY AND CARL UNGER, ET AL - Petition to Vacate U.S. Government Patent Easements generally located west of Campbell Road, north of Cheyenne Avenue, Ward 4 (Brown).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 53 [ZON-4699] for all related discussion on Item 18 [VAC-4700] and Item 53 [ZON-4699].

(7:24 – 7:29)

1-3111

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 18 – VAC-4700

CONDITIONS:

Planning and Development

1. This Petition of Vacation shall be modified to retain a 20-foot wide City of Las Vegas sewer easement connecting the northwest corner of Assessor's Parcel Number 138-08-401-008 to the nearest public street, in an alignment and to a location acceptable to the City Engineer prior to recordation of the Order of Relinquishment of Interest.
2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-4699 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4707 - APPLICANT/OWNER: L M CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Petition to Vacate U.S. Government Patent Easements generally located east of Puli Drive between Grand Teton Drive and Farm Road, Ward 6 (Mack).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- **Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.**
- **UNANIMOUS with TRUESDELL and EVANS excused**

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 19 – VAC-4707

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

CONDITIONS:

Planning and Development

1. Provide a plan, acceptable to the Development Coordination Section of the Department of Public Works, showing how legal access will be retained or provided to all parcels not under control of this developer prior to recordation of the Order of Relinquishment of Interest. Staff is empowered to modify the exact extents of this Vacation Application to ensure continuity of such legal access.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 19 – VAC-4707

CONDITIONS – Continued:

2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4710 - APPLICANT/OWNER: BACK AAG, LIMITED LIABILITY COMPANY - Petition to Vacate a portion of a twenty-foot (20') wide public sewer easement generally located south of Rancho Drive, east of Decatur Boulevard, Ward 5 (Weekly).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- **Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.**
- **UNANIMOUS** with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 20 – VAC-4710

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

CONDITIONS:

1. The boundaries of this Petition of Vacation shall be limited to a portion of the 20-foot wide public sewer easement per Right of Way Grant for Sewer Purposes, document no. 20030603:00538; all portions of the adjacent drainage easement shall be retained.
2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 20 – VAC-4710

CONDITIONS – Continued:

3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4711 - APPLICANT/OWNER: BACK AAG, LIMITED LIABILITY COMPANY, ET AL - Petition to Vacate a twenty-foot (20') wide construction easement generally located south of Rancho Drive, east of Decatur Boulevard, Ward 5 (Weekly).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
- UNANIMOUS with TRUEDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 21 – VAC-4711

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

CONDITIONS:

Planning and Development

1. The boundaries of this Petition of Vacation shall be limited to the 20-foot wide temporary construction easement as shown on the exhibit of the recorded Right of Way Grant for Drainage Purposes, document no. 20001201.01585; all portions of the adjacent drainage easement shall be retained.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 21 – VAC-4711

CONDITIONS – Continued:

2. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4722 - APPLICANT/OWNER: PULTE HOMES - Petition to Vacate public sewer and drainage easements generally located east of Buffalo Drive, south of Iron Mountain Road, Ward 6 (Mack).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- **Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.**

– UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 22 – VAC-4722

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

CONDITIONS:

Planning and Development

1. The Order of Vacation shall record concurrently with the Final Map for the Silverstone Ranch Parcel 17 subdivision to provide alternative sewer and drainage easements acceptable to the Department of Public Works.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 22 – VAC-4722

CONDITIONS – Continued:

2. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for TMP-4601 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
3. Prior to the recordation of an Order of Vacation all public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
4. All development shall be in conformance with code requirements and design standards of all City Departments.
5. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4737 - APPLICANT: CITY OF LAS VEGAS - OWNER: GRAND CANYON PARTNERS, LIMITED LIABILITY COMPANY - Petition to Vacate a portion of Tee Pee Lane, located approximately 1,350 feet north of Grand Teton Drive, Ward 6 (Mack).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
- UNANIMOUS with TRUESELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 23 – VAC-4737

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

CONDITIONS:

Planning and Development

1. This Petition of Vacation shall be modified to retain a 20-foot sewer easement centered over the existing sewer line.
2. Meet with the Flood Control Section of the Department of Public Works to discuss how this vacation will impact area drainage patterns prior to the recordation of an Order of Vacation.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 23 – VAC-4737

CONDITIONS – Continued:

3. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, prior to the recordation of an Order of Vacation.
4. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
5. All development shall be in conformance with code requirements and design standards of all City departments.
6. The Order of Vacation shall not be recorded until all of the above conditions have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
7. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4745 - APPLICANT/OWNER:
WARMINGTON HOMES NEVADA - Petition to Vacate a Bureau of Land Management Right-of-Way Grant Easement generally located west of Hualapai Way, south of Alexander Road, Ward 4 (Brown).

SET DATE: 09/01/04 **C.C.** 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED Item 6 [SUP-4688], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745] subject to conditions, and subject to conditions and adding the following condition on Item 7 [SDR-4687]:

- Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.
- UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO explained that these items will be considered in One Motion/One Vote and are routine public hearing items that have no protests, waivers from the Code or condition changes by the applicant or staff. All public hearings will be opened at one time. Any person representing the applicant or a member of the Planning Commission, not in agreement with all standard conditions for the applications recommended by staff, may request to have an item removed from this part of the Agenda.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 24 – VAC-4745

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

DAVID CLAPSADDLE, Planning and Development Department, stated that staff requested Item 9 [SUP-4690], Item 17 [SDR-4749] and Item 18 [VAC-4700] be removed from One Motion One Vote. Staff received a protest letter for Item 9 and Item 17. Item 18 needed to be heard with Item 53 [ZON-4699].

COMMISSIONER McSWAIN requested Item 10 [SUP-4693] be removed from One Motion One Vote. She also stated that she would be abstaining on Item 22 [VAC-4722].

COMMISSIONER STEINMAN requested Item 25 [VAC-4747] be removed from One Motion One Vote so a discussion could take place.

MR. CLAPSADDLE stated that Public Works would be adding a condition on Item 7 [SDR-4687]. GINA VENGLASS, Public Works, read into record the added condition and stated that she believed the applicant was aware of the added condition.

BARRY GREEN, 3531 E. Russell Road, requested Item 15 [SDR-4731] be removed from One Motion One Vote so a discussion could take place. VICE CHAIRMAN NIGRO concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 6 [SUP-4688], Item 7 [SDR-4687], Item 8 [SUP-4541], Item 13 [SDR-4657], Item 14 [SDR-4726], Item 19 [VAC-4707], Item 20 [VAC-4710], Item 21 [VAC-4711], Item 22 [VAC-4722], Item 23 [VAC-4737] and Item 24 [VAC-4745]

(7:01 – 7:08)

1-2005

CONDITIONS:

1. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 24 – VAC-4745

CONDITIONS – Continued:

3. All development shall be in conformance with code requirements and design standards of all City departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4747 - APPLICANT/OWNER: M T C 118, INC. - Petition to Vacate the stubbed portion of Wittig Avenue east of Durango Drive, Ward 6 (Mack).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with GOYNES voting No and TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that this application is a housekeeping item. Condition 18 of the Site Development Plan Review (SDR-3764) for the Montecito Marketplace commercial development required a submittal for vacation of the stubbed portion of Dorrell Lane (aka Wittig Avenue) prior to the approval of construction drawings, issuance of any permits for this site, or the recordation of a Final Map overlying or abutting the stubbed portion of Dorrell Lane (aka Wittig Avenue) east of Durango Drive, whichever occurred first. The request would not eliminate public street access to any abutting parcels or adversely affect any abutting properties.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 25 – VAC-4747

MINUTES – Continued:

CHRIS KEMPFER, Kummer, Kempfer, Bonner and Renshaw, appeared on behalf of the Montecito Companies. Using the overhead, reiterated MR. CLAPSADDLE'S brief overview of the application. He added these points: The Vacation request would not reduce traffic handling capability; it involves only access right-of-way; the street vacation request does not eliminate public street access to any abutting parcel; the vacation request does not conflict with any existing City requirements; and the Department of Public Works does not object to this Vacation request. He reiterated that this item is a housekeeping item and requested approval from the Commission.

PAUL LARSEN, appeared on behalf of Triple 5 Nevada Development Corporation. MR. LARSEN referenced the Montecito Town Center Development Agreement, the Centennial Hills Town Center and Land Use Guide, and the Centennial Hills Town Center Street Classification to show where Dorrell Lane was being contemplated as an 80-foot right-of-way. He also gave a brief history regarding the site plan for the hospital site, which is located immediately south of the proposed site. He added that southeast of the proposed site is a mall site being developed by Triple 5 Nevada Development Corporation, which would be approximately 1.5 million square feet. If both the hospital and mall sites are combined without Dorrell Lane coming through as an 80-foot right-of-way, it would probably cause Grand Montecito Parkway and Deer Springs Way to become six lanes. In closing, MR. LARSEN stated that maintaining the right-of-way would relieve some of the traffic on Grand Montecito Parkway and Deer Springs Way and complete an 80-foot right-of-way from Durango Drive and Frontage Road. Therefore, he requested that the Commission deny the Vacation request.

MR. BENDER, Engineer, Triple 5 Nevada Development Corporation, 9510 W. Sahara Avenue, stated that past evaluations of the traffic pattern in this area have been done. However the site north of the hospital, and the hospital itself, are both required to provide an updated traffic study for the area. To date, this has not been done. If a traffic study is done, it is MR. BENDER'S opinion that they would find that Dorrell Lane is an essential integral part of the traffic circulation. Although this item may be a housekeeping issue, MR. BENDER felt that it would set a pattern to correct something later.

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of JAY BROWN, who represented the residents west of the proposed site. The residents' concern is that if there is no street, they would not have pedestrian access to the park.

MR. KEMPFER responded that a road cannot be created where no right-of-way for the road exists. However, the City could choose to pay millions of dollars to condemn it.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 25 – VAC-4747

MINUTES – Continued:

VICE CHAIRMAN NIGRO requested to hear comments from staff. GINA VENGLASS, Public Works, confirmed that Dorrell Lane never existed as a right-of-way or in patent easements. She added that when Montecito Town Center mapped an overall commercial subdivision for the site, it was determined that Dorrell Lane would not be a public street. It could be a roadway with joint access between the hospital and the marketplace on the north. The roadway is not labeled Dorrell Lane or a dedicated right-of-way. Public Works does not want the right-of-way on that portion of Dorrell Lane. MR. CLAPSADDLE concurred with MS. VENGLASS.

COMMISSIONER McSWAIN questioned an area on the map that referenced Wittig Avenue, but MR. KEMPFER reiterated that this was an alignment even though the road is not dedicated. In response to COMMISSIONER McSWAIN'S question regarding the development agreement and the issue with the right-of-way, MATT WARNER, Montecito Companies, 6600 W. Charleston Boulevard, stated in the development agreement, there were certain roads that were dedicated as right-of-way. These roads were Elkhorn Road, a specific alignment on Grand Montecito Parkway that is not represented by the protestor's plan, Deer Springs Way, Elkhorn Overpass and Tropical Overpass. MR. KEMPFER added that he was advised that the hospital plan identified the top portion as a drainage easement.

COMMISSIONER McSWAIN expressed her appreciation for the presentation, as she had received numerous calls from individuals who believed an existing road was being eliminated.

COMMISSIONER STEINMAN stated he viewed the site and he, like COMMISSIONER McSWAIN, had concerns with a sign indicating Wittig Avenue but the Vacation is for Dorrell Lane. He also did not understand how the area back by the freeway, totaling approximately 1.6 million square feet, was not planned to become a road during the planning process. He added that if and when the hospital and marketplace are constructed, there would be a problem without having proper access for all the residents to the west of the site. He pointed out that although the application is appropriate, from a Planning standpoint, this is an issue that fell through the cracks.

MR. KEMPFER responded that no mall project totaling 1.6 million square feet has yet been approved by the City. The plans that Triple 5 has are what would like to be done and what was previously approved. COMMISSIONER STEINMAN commented that there is a Master Plan in existence, and reiterated that there is going to be a circulation issue at some point. In all fairness, MR. KEMPFER believed that at that time, staff was reviewing a road that all parties believed would go through the center of the Triple 5 property, as Dorrell Lane was not a required roadway.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 25 – VAC-4747

MINUTES – Continued:

BART ANDERSON, Public Works, gave a brief overview of the original Town Center Plan for COMMISSIONER STEINMAN. He stressed the point that when the decisions were being made, this area was only identified as main street, mixed use. In addition, the streets were simply a recommendation and not a requirement. So the area was proposed to be pedestrian friendly rather than automotive friendly. Since that time, a new proposal was submitted to create a large mall. However, other proposals have been approved and adopted without the requirement of the street. He felt that there was not an error on staff's part for not foreseeing this type of use being proposed now at this location. Thereafter, a discussion took place between MR. ANDERSON and COMMISSIONER STEINMAN regarding areas of the site plan that had holes in the grid system.

VICE CHAIRMAN NIGRO concurred with COMMISSIONER STEINMAN regarding a traffic issue would exist if a mall is constructed. He commented that the discussion was being based on speculations because even if the application was denied, it does not mean a road would now be approved.

COMMISSIONER DAVENPORT stated the City would have to pay for demolition to occur, so it would make sense to approve the Vacation request for the small portion now. He then asked if any of the trails would provide access to the hospital and other facilities. VICE CHAIRMAN NIGRO confirmed with MR. KEMPFER that the site plan approved for a Smith's shopping center reflected a point of access. Because of the design of the road, MR. WARNER added that the applicant and the hospital are working together to provide access into their sites that would connect to the median breaks. In response to COMMISSIONER GOYNES question regarding would the applicant be willing to ultimately provide access all the way through to the back of the property, MR. WARNER informed COMMISSIONER GOYNES that portions within the development agreement are not titled, so their discussions could only involve what is approved and is being developed on the site plan.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(7:29 – 8:02)

1-3355

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 25 – VAC-4747

CONDITIONS:

Planning and Development

1. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
2. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
3. All development shall be in conformance with code requirements and design standards of all City Departments.
4. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, conditions that require modifications to public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
5. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - REHEAR - TENTATIVE MAP - PUBLIC HEARING - TMP-3692 - CONCORDIA @ LONE MOUNTAIN WEST UNIT 6 - APPLICANT/OWNER: CONCORDIA HOMES OF NEVADA, INC. - Request for a Tentative Map FOR A 23 LOT SINGLE-FAMILY RESIDENTIAL SUBDIVISION AND TO ALLOW AN 11.5-FOOT RETAINING WALL WHERE SIX FEET IS THE MAXIMUM HEIGHT ALLOWED on 5.50 acres adjacent to the south side of Stange Avenue, approximately 660 feet west of Cliff Shadows Parkway (APN: 137-01-201-013), PD (Planned Development) Zone [Low Density Residential Lone Mountain West Special Land Use Designation], Ward 4 (Brown).

P.C. FINAL ACTION

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESEDELL and EVANS excused

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the Planning Commission held this in abeyance to the 8/12/2004 Planning Commission meeting to allow the applicant time to redesign the Site Plan with a lower retaining wall on the east boundary of the site. The wall height now

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 26 – TMP-3692

MINUTES – Continued:

meets Title 18, and the Waiver is no longer needed. In addition, the open space square footage still meets the standards of the Code, although some of the open space is at a 2:1 slope.

ROBIN HOGAN, Concordia Homes, 980 American Pacific, Suite 100, Henderson, reiterated MR. CLAPSADDLE'S brief overview of the application. She added that at a previous meeting, a resident, MRS. DEBRUYN, expressed concern regarding having a backyard view of an eleven foot retaining wall with an additional six foot screen wall, and the applicant now felt that this concern has been mitigated.

SARAH DEBRUYN, 4441 Rockaway Beach Street, expressed her appreciation for MS. HOGAN and the Commission's diligence in taking her concerns seriously, as she felt the original proposed retaining wall would have given the effect of a jailed environment. Although the proposed plan is not ideal, she was appreciative of the landscaping and the spacing allowed between her backyard property line and the resident across from hers. She is still concerned with the drainage and avoiding trapped water in the open space due to rainfalls/flooding. She would like to see plenty of landscaping, which would enhance the existing landscaping, which has sloping and shrubbery.

GINA VENGLASS, Public Works, stated that the applicant is working on a drainage study on this site and amending it to the applicable changes. She added that Public Works felt that the drainage concerns would be mitigated.

For the record, MR. CLAPSADDLE clarified that the correct map staff and the applicant are in agreement with is in the back up documentation and not what was reflected on the overhead at this meeting.

In response to COMMISSIONER STEINMAN'S question regarding a landscaping plan, MS. HOGAN replied that a landscaped plan has not yet been submitted. One would be prepared in accordance with the City's requirements, which staff would have the opportunity to review and approve prior to construction. COMMISSIONER STEINMAN then emphasized the need for landscaping on the slope, such as trees and plants. MS. HOGAN concurred. COMMISSIONER STEINMAN concurred with COMMISSION STEINMAN'S request.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(8:02 – 8:09)

2-963

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 26 – TMP-3692

CONTINUED:

Planning and Development

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, a new Tentative Map must be filed.
2. All development shall conform to the Conditions of Approval for Rezoning (SDR-1666), Site Development Plan Review (SDR-1667), and the Lone Mountain West Master Plan Development Standards, other than as approved through this application.
3. Street names must be provided in accord with the City's Street Naming Regulations.
4. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

5. Site development to comply with all applicable conditions of approval for ZON-1666 and all other subsequent site-related actions.
6. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4528 - RENOTIFICATION - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: MLA (Medium-Low Attached Density Residential) TO: M (Medium Density Residential) on 10.5 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN 138-28-401-014), Ward 2 (Wolfson).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Initial motion for APPROVAL failed due to lack of super majority – Subsequent motion by GOYNES for DENIAL carried with STEINMAN abstaining as he is a member of the Board of Directors of Southern California Presbyterian Homes who are in consideration of being the management company for the proposed facility and TRUESELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 27 [GPA-4528], Item 28 [ZON-4529] and Item 29 [SDR-4752].

DAVID CLAPSADDLE, Planning and Development, discussed with DEPUTY CITY ATTORNEY BRYAN SCOTT that despite the lack of a super majority as a result of the abstention, the Commission could discuss the General Plan Amendment along with the other

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 27 – GPA-4528

MINUTES – Continued:

applications to create a record for the future Council hearing. Any motion regarding the General Plan Amendment only will fail due to the lack of a super majority and will constitute a denial.

MR. CLAPSADDLE stated that the General Plan Amendment was held in abeyance to allow the rezoning and the site development plan review applications to be heard with the General Plan Amendment at the same time.

The request to change the General Plan Amendment to M is for the entire 10 acres. The proposed amendment conforms to other applicable adopted plans and policies, which include approved neighborhood plans, and encourages quality infill development. The Rezoning application is for the western five acres of the site. The “Not a Part” portion will be a future phase of the project that will come back at a later date as a rezoning and a site plan review. Although the proposed project on this site is at a density that is somewhat higher than the surrounding residential properties, a senior apartment complex is a less intense use than a regular non-age restricted apartment complex, and the overall population density would be substantially less.

CHRIS KEMPFER appeared on behalf of the applicant. He concurred with MR. CLAPSADDLE’S overview of the applications. He added that although the request to change the General Plan Amendment from Medium Low to Medium, the impacts with these higher density projects, such as traffic, noise and crime, would not be so with assisted care facilities. He added that this was a great project and good for the community. He then expressed his appreciation for staff’s hard work on the proposed project.

SHERI OLSEN, 216 Star Cluster Circle, STEVEN YOUNG, 270 Star Cluster Circle, PAM MORETTI, 262 Star Cluster Circle, also spoke on behalf of ENRIQUE ROMAN, 266 Star Cluster Circle and referenced a letter MR. ROMAN had written to SUE PRESCOTT, and J.D. FRANK, 257 Lucky Star Court, all commented that there are 56 units in the Starfire I community and over 75 percent of the community do not oppose an assisted care facility. However, their concern is the change from 90 units to approximately 200 units, which is in excess for the proposed site. There are already a total of 108 units, as the proposed project would add an additional 200 units, so the concern is what impact traffic would have. Silver Sky is the only access out of their properties for both Starfire I and II communities. Further down, there are some other homes, which have only one access out of their properties, which is on Roland Wiley Road. There are children within these communities, and the residents would like to see a traffic signal installed at Roland Wiley Road and Westcliff Drive. In addition, they would like to see additional landscaping, such as pine trees along the adjoining walls, which would create some privacy, as the proposed project would be three stories high. Lastly, the residents would like to know when construction would begin for the “Not a Part” phase of the project.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 27 – GPA-4528

MINUTES – Continued:

BARBARA BUCKLEY, Assemblywoman, representing Assembly District 8 and Majority Leader at the Nevada State Assembly, 5442 Holbrook Drive, Las Vegas, stated she supported the project and gave a brief history of the birthing of the proposed project. She stressed the fact that assisted living can be costly, and elders on social security, without a savings, only choice is a nursing home paid for by Medicaid. A pilot project was looked into for non-profit affordable housing resources with assisted living resources to see if a solution could be found for those that could not afford state-of-the-art facilities. Individuals would have the ability to age in place with dignity without having to be forced into nursing homes. A committee was formed and commitments have been made with donations from government entities, as well as, private donations, and a non-profit developer has been chosen. She also stated that during the birthing of this project, gaps in the system were found, and it is their goal to pass legislation to correct those issues. She concluded by stating that their intent was to always work with and meet with residents and pleaded that even more needed to be done to create assisted living options for those that do not have massive bank accounts.

JUANITA CLARK, Charleston Neighborhood Preservation, requested information regarding the number and dates of meetings held with the residents, as ASSEMBLYWOMAN BUCKLEY stated had occurred earlier.

MR. KEMPFER responded that neighborhood meetings were held and basically addressed the residents concerns, such as traffic. He then reiterated how this type of project does not have an impact like higher density projects have. He added that only up to 20 percent of the elderly would have automobiles. There would be 90 units in the first phase and then the “Not a Part” portion would be 80 units in the second phase. The traffic study shows, for a ten-acre facility, 263 trips per day at an assisted care facility, which is inclusive of the employees coming and going, deliveries and the visitors.

COMMISSIONER McSWAIN stated that the project looked nice and appreciated ASSEMBLYWOMAN BUCKLEY’S comments. She questioned about the possibility of a bus turnout. MR. KEMPFER responded that discussions are taking place to ensure that public transportation is available, as some of the elderly would use public transportation. COMMISSIONER GOYNES believed that the Regional Transportation Commission would be required to take a City or County street to build a cut in for public transportation to and from this proposed facility. MR. KEMPFER added that his client informed him that one of the services this type of facility provides is transportation buses.

VICE CHAIRMAN NIGRO confirmed with MR. KEMPFER that he understood the application would be denied due to lack of super majority. ROBERT GENZER, Planning and Development, added that the denial would be explained on the City Council agenda as well.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 27 – GPA-4528

MINUTES – Continued:

MR. CLAPSADDLE responded to COMMISSIONER DAVENPORT by stating staff would provide MS. CLARK the information regarding the number of neighborhood meetings held and what dates these meetings took place.

MR. CLAPSADDLE reiterated to the Commission that the “Not a Part” portion of the project, Phase II, would be a future phase of the project, which would come back at a later date as a rezoning and a site plan review. Since Phase II was not part of the discussion at this meeting, advertising nor a rezoning for this portion of the site was done. He also confirmed for MR. GENZER that approximately five acres consist of the rezoning area, and sufficient acres are currently being rezoned to do an RPD without a Waiver.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 27 [GPA-4528], Item 28 [ZON-4529] and Item 29 [SDR-4752].

(8:09 – 8:39)
2-1201

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4528 - PUBLIC HEARING - ZON-4529 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: U (Undeveloped) [MLA (Medium-Low Attached Residential) General Plan Designation] TO: R-PD17 (Residential Planned Development - 17 Units Per Acre) on 5.56 acres adjacent to the northeast corner of Roland Wiley Road and Silver Sky Drive (APN 138-28-401-014), Ward 2 (Wolfson).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and adding the following condition:

- This rezoning shall apply to the westerly 5.56 acres of the site.
- Motion carried with STEINMAN abstaining as he is a member of the Board of Directors of Southern California Presbyterian Homes who are in consideration of being the management company for the proposed facility and TRUESEL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 27 [GPA-4528] for all related discussion on Item 27 [GPA-4528], Item 28 [ZON-4529] and Item 29 [SDR-4752].

(8:09 – 8:39)

2-1201

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 28 – ZON-4529

CONDITIONS:

Planning and Development

1. General Plan Amendment (GPA-4528) to M (Medium Density Residential) land use designation and Site Development Plan Review (SDR-4752) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. A Resolution of Intent with a two-year time limit.
3. This rezoning shall apply to the westerly 5.56 acres of the site.

Public Works

4. Dedicate 30 feet of right-of-way adjacent to this site for Silver Sky Drive prior to the issuance of any permits.
5. Construct half-street improvements including appropriate overpaving on Silver Sky Drive adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4528 AND ZON-4529 - PUBLIC HEARING - SDR-4752 - APPLICANT: SILVER SKY ASSISTED LIVING, LIMITED PARTNERSHIP - OWNER: CITY OF LAS VEGAS - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 90-UNIT, 78,649 SQUARE-FOOT ASSISTED LIVING DEVELOPMENT on 5.56 acres adjacent to the northeast corner of Silver Sky Drive and Roland Wiley Road (APN 138-28-401-014), U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] [PROPOSED: R-PD17 (Residential Planned Development - 17 Units Per Acre)], Ward 2 (Wolfson).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and adding the following condition:

- This rezoning shall apply to the westerly 5.56 acres of the site.
- Motion carried with STEINMAN abstaining as he is a member of the Board of Directors of Southern California Presbyterian Homes who are in consideration of being the management company for the proposed facility and TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 27 [GPA-4528] for all related discussion on Item 27 [GPA-4528], Item 28 [ZON-4529] and Item 29 [SDR-4752].

(8:09 – 8:39)

2-1201

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 29 – SDR-4752

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4528) to M (Medium Density Residential) land use designation Rezoning [ZON-4529] to an R-PD17 (Residential Planned Development - 17 Units Per Acre) Zoning District approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein. The applicant shall be required to schedule a post-approval conference with the Department of Planning and Development and Public Works should the engineering studies cause changes to this approved site plan and building elevations.
4. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, to reflect the type of trees and shrubs to be planted on the site.
5. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. The elevations shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation.
8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 29 – SDR-4752

CONDITIONS – Continued:

9. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.
10. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.
15. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
16. All development shall be in conformance with the site plan and building elevations, date stamped 06/29/04, except as amended by conditions herein.
17. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

Public Works

18. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 29 – SDR-4752

CONDITIONS – Continued:

19. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
20. Site development to comply with all applicable conditions of approval for ZON-4529 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4535 -
APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT
- Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (Desert Rural Density Residential) TO: L (Low Density Residential) on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 30 [GPA-4535], Item 31 [VAR-4536], Item 32 [ZON-4537], Item 33 [WVR-4748] and Item 34 [SDR-4539].

DAVID CLAPSADDLE, Planning and Development, stated that the General Plan Amendment was held in abeyance to allow the other applications to be heard with the General Plan Amendment at the same time. He added that the low-density residential use is appropriate for the area, as it is a buffer and transition from the single-family residences to the east and to the regional park to the west. He gave a brief overview of the proposed project and added that the lot sizes range from 6,435 square feet to 6,700 square feet. Staff felt that the waiver requested for RPD to be less than five acres is appropriate to allow this type of infill development.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 30 – GPA-4535

MINUTES – Continued:

CHRIS KEMPFER, appeared on behalf of the applicant, concurred with MR. CLAPSADDLE'S overview of the proposed project. He also thanked staff, more so the residents, for all of the hard work put into this project. He pointed out that this site was problematic, as it is no longer desert or rural. The street would be reduced from 39 feet to 33 feet with rolled curbs so that the homes could be moved further from the east to the west, which would provide more space and setbacks from the homes to the east. This adjustment would not create a problem with the Fire Department, and staff approved of the waiver. He also pointed out that the homes are large, up to 4,000 square feet. One unique feature was that the rear portion of the homes are vaulted, so they are two story homes; however, one would not be able to look down into other yards due to the amount of space between each home.

MARK ADAIR, 1401 Marbella Ridge Court, stated his property abutted the proposed project. Although he felt that there was a lack of proper planning and zoning, he commended TOMMY AYALA, Blue Herron Properties, for their diligence in working on this project and for their constant communication with the residents. Because of Blue Herron's efforts, he would support this application.

COMMISSIONER McSWAIN complimented and supported the project. She appreciated seeing some support from neighbors, as this site was a difficult area to develop.

COMMISSIONER DAVENPORT thanked MR. ADAIR for his persistence and efforts on working with the applicant on this project.

VICE CHAIRMAN NIGRO thanked the applicant for their efforts in working with the neighbors and complimented the proposed project, as it was different yet creative.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 30 [GPA-4535], Item 31 [VAR-4536], Item 32 [ZON-4537], Item 33 [WVR-4748] and Item 34 [SDR-4539].

(8:39 – 8:50)

2-2421

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-4535 - PUBLIC HEARING - VAR-4536 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT
- Request for a Variance TO ALLOW AN R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 4.75 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 30 [GPA-4535] for all related discussion on Item 30 [GPA-4535], Item 31 [VAR-4536], Item 32 [ZON-4537], Item 33 [WVR-4748] and Item 34 [SDR-4539].

(8:39 – 8:50)

2-2421

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 31 – VAR-4536

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4537), Title 18 Waiver (WVR-4748), and Site Development Plan Review [SDR-4539].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-4535 AND VAR-4536 - PUBLIC HEARING - ZON-4537 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-PD5 (Residential Planned Development - 5 Units per Acre) on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 30 [GPA-4535] for all related discussion on Item 30 [GPA-4535], Item 31 [VAR-4536], Item 32 [ZON-4537], Item 33 [WVR-4748] and Item 34 [SDR-4539].

(8:39 – 8:50)

2-2421

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 32 – ZON-4537

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4535) to an L (Low Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. If an application to vacate Del Rey Avenue adjacent to this site, such as VAC-3433, does not record, or portions of Del Rey Avenue are not vacated adjacent to this site, this site shall be responsible to construct all half-street improvements and appropriate overpaving within the Del Rey Avenue right-of-way adjacent to this site concurrent with development of this site.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WAIVER RELATED TO GPA-4535, VAR-4536, ZON-4537 AND VAR-4538 - PUBLIC HEARING - WVR-4748 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request for a Waiver of Title 18.12.100 TO ALLOW A 33-FOOT PRIVATE STREET WHERE 39 FEET IS THE MINIMUM REQUIRED FOR PRIVATE STREETS WITH ROLLED CURBS on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 30 [GPA-4535] for all related discussion on Item 30 [GPA-4535], Item 31 [VAR-4536], Item 32 [ZON-4537], Item 33 [WVR-4748] and Item 34 [SDR-4539].

(8:39 – 8:50)

2-2421

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 33 – WVR-4748

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4537), Variance (VAR-4536) and Site Development Plan Review (SDR-4539).
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

3. Curbs on at least one side of 33-foot wide streets shall be constructed of red concrete and “Fire Lane No Parking” signs shall be provided in accordance with Section 18.2.2.5.7 of Ordinance #5667 to prevent parking on one side of the street. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowners’ Association.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4535, VAR-4536, ZON-4537, VAR-4538 AND WVR-4748 - PUBLIC HEARING - SDR-4539 - APPLICANT: BLUE HERON PROPERTIES - OWNER: W. M. LAND DEVELOPMENT - Request for a Site Development Plan Review FOR A PROPOSED 24-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 4.75 acres adjacent to the southeast corner of Buffalo Drive and Del Rey Avenue (APN 163-03-201-001 and 002), R-E (Residence Estates) Zone [Proposed: R-PD5 (Residential Planned Development - 5 Units per Acre)], Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 30 [GPA-4535] for all related discussion on Item 30 [GPA-4535], Item 31 [VAR-4536], Item 32 [ZON-4537], Item 33 [WVR-4748] and Item 34 [SDR-4539].

(8:39 – 8:50)

2-2421

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 34 – SDR-4539

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-4535) from DR (Desert Rural Density Residential) to L (Low Density Residential), a Variance (VAR-4536) to allow R-PD development on a site smaller than five acres, a Rezoning [ZON-4537] to an R-PD5 (Residential Planned Development - 5 Units per Acre) Zoning District, and a Title 18 Waiver (WVR-4748) to allow substandard street widths, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of nine feet, and building height shall not exceed two stories or 29 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 14.5 feet (Model A) and 10 feet (Model B) to the front of the house, 18 feet to the front of the garage as measured from back of curb, 4.5 feet on the side and 30 feet (Model A) and 34 feet (Model B) feet in the rear (except for the two southernmost lots on the hammerhead, which will be allowed 20-foot rear setback on the east lot and 15-foot rear setback on the west lot).
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.
7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 34 – SDR-4539

CONDITIONS -- Continued:

11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
12. All City Code requirements and design standards of all City departments must be satisfied.
13. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
14. All development shall be in conformance with the site plan and building elevations, date stamped 07/29/04, except as amended by conditions herein.

Public Works

15. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the north prior to the issuance of any permits or the recordation of a map unless the joint access is being provided with the map being recorded.
16. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
18. Site development to comply with all applicable conditions of approval for ZON-4537 and all other subsequent site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-4548 - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: ML (Medium-Low Density Residential) TO: M (Medium Density Residential) on 12.88 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-002 and 140-30-520-017 through 033), Ward 3 (Reese).

ABEYANCE TO THE 9/9/04 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 9/9/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 35– GPA-4548

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE - REZONING RELATED TO GPA-4548 - PUBLIC HEARING - ZON-4554 - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL
- Request for a Rezoning FROM: R-E (Residence Estates) and R-PD9 (Residential Planned Development - 9 Units per Acre) TO: R-PD12 (Residential Planned Development - 12 Units per Acre) on 18.24 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-001 and 002; 140-30-520-017 through 033), Ward 3 (Reese).

ABEYANCE TO THE 9/9/04 PC MEETING**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 9/9/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 36– ZON-4554

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

ABEYANCE - VARIANCE RELATED TO GPA-4548 AND ZON-4554 - PUBLIC HEARING - VAR-4677 - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request for a Variance TO ALLOW 0.78 ACRES OF OPEN SPACE WHERE 3.67 ACRES IS THE MINIMUM REQUIRED in conjunction with a proposed 223-unit single-family residential development on 18.24 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-001 and 002; 140-30-520-017 through 033), R-E (Residence Estates) and R-PD9 (Residential Planned Development - 9 Units per Acre) Zones [PROPOSED: R-PD12 (Residential Planned Development - 12 Units per Acre)], Ward 3 (Reese).

ABEYANCE TO THE 9/9/04 PC MEETING**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 9/9/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 37– VAR-4677

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-4548, ZON-4554 AND VAR-4677 - PUBLIC HEARING - SDR-4555 - APPLICANT: RICHARD EHRLICH - OWNER: RICHARD EHRLICH, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 223-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 18.24 acres adjacent to the south side of Owens Avenue, approximately 630 feet west of Lamb Boulevard (APN 140-30-503-001 and 002; 140-30-520-017 through 033), R-E (Residence Estates) and R-PD9 (Residential Planned Development - 9 Units per Acre) Zones [PROPOSED: R-PD12 (Residential Planned Development - 12 Units per Acre)], Ward 3 (Reese).

ABEYANCE TO THE 9/9/04 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 9/9/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 38– SDR-4555

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - REZONING - PUBLIC HEARING - ZON-4216 -
APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM:
U (Undeveloped) [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on
17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN
125-19-602-001, 003 thru 011), Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 39 [ZON-4216], Item 40 [VAC-4218] and Item 41 [SDR-4220].

GARY LEOBOLD, Planning and Development, stated that this is a 17.66-acre site within the Centennial Hills Town Center. The City requires all sites within Town Center to be zoned as T-C (Town Center), so the specified objectives could be achieved. The Vacation request is appropriate, as the subject easements are not needed and would not result in reduced access or traffic handling capability for the area. In addition, MR. LEOBOLD gave a brief overview of

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 39– ZON-4216

MINUTES – Continued:

the Site Plan and pointed out that although the street-sections do not meet Town Center standards for public streets, they are consistent with street sections that were subsequently approved for development within the assemblage of land within Town Center by Pardee Homes.

JEANINE WALLACE, Bosser Developer Services, appeared on behalf of Pardee Homes. MS. WALLACE requested a revision on Item 41 [SDR-4220] Condition 4, which would change to “18 feet to the front of the garage...” instead of 22 feet. GINA VENGLASS, Public Works, concurred with MS. WALLACE’S request to revise the condition.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 39 [ZON-4216], Item 40 [VAC-4218] and Item 41 [SDR-4220].

(8:50 – 8:57)

2-3039

CONDITIONS:

Planning and Development

1. Site Development Plan Review (SDR-4220) and Vacation (VAC-4218) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Deer Springs Way where no right-of-way currently exists, 50 feet for Fort Apache Road where no right-of-way currently exists and a 54-foot radius corner at the northwest corner of Fort Apache Road and Deer Springs Way. Additional dedications in accordance with Standard Drawing #234.1 or #234.3 for a bus stop turn out shall also be provided on Deer Springs Way.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 39– ZON-4216

CONDITIONS – Continued:

4. Construct half-street improvements on Dorrell Lane and Fort Apache Road adjacent to this site and construct half-street improvements including appropriate overpaving (if legally able) on Deer Springs Way adjacent to this site concurrent with development. Also, construct all incomplete half-street improvements on Chieftain Street adjacent to this site concurrent with development. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within unimproved public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - VACATION RELATED TO ZON-4216 - PUBLIC HEARING - VAC-4218 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located south of Dorrell Lane, west of Chieftain Street, Ward 6 (Mack).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESEDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 39 [ZON-4216] for all related discussion on Item 39 [ZON-4216], Item 40 [VAC-4218] and Item 41 [SDR-4220].

(8:50 – 8:57)
2-3039

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 40– VAC-4218

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the vacation of these U.S. Government Patent Reservations; the vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works with Rezoning application ZON-4216.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #5 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.
7. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-4216, Site Development Plan Review SDR-4220 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4216 AND VAC-4218 - PUBLIC HEARING - SDR-4220 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A PROPOSED 92-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN 125-19-602-001, 003 thru 011), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and amending the following condition:

4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.

– UNANIMOUS with TRUESELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 39 [ZON-4216] for all related discussion on Item 39 [ZON-4216], Item 40 [VAC-4218] and Item 41 [SDR-4220].

(8:50 – 8:57)

2-3039

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 41– SDR-4220

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-4216] to a T-C (Town Center) Zoning District and a Vacation of government patent easements (VAC-4218) approved by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein, including the required median on Fort Apache Road.
3. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box large canopy trees planted a minimum of 35 feet on-center along Fort Apache Road, with five-foot on-site and right-of-way amenity zones, and 24-inch box large canopy trees planted a minimum of 30 feet on-center along Dorrell Lane and along Deer Springs Way.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 41– SDR-4220

CONDITIONS – Continued:

10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
11. All City Code requirements and design standards of all City departments must be satisfied.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. All development shall be in conformance with the site plan and building elevations, date stamped 03/15/04, except as amended by conditions herein.

Public Works

14. Landscape and maintain all unimproved rights-of-way on Dorrell Lane, Deer Springs Way and Fort Apache Road adjacent to this site.
15. Submit an Encroachment Agreement for all landscaping and private improvements located in the Dorrell Lane, Deer Springs Way and Fort Apache Road public rights-of-way adjacent to this site prior to occupancy of this site.
16. Provide public sidewalk easements for all public sidewalks located outside of the public right-of-way concurrent with development of this site.
17. Site development to comply with all applicable conditions of approval for ZON-4216, Town Center Standards and all other site-related actions.
18. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4208 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 29.14 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN 125-18-801-006, 008, 013, 014, 015 and 016), Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 42 [ZON-4208], Item 43 [VAR-4209], Item 44 [SUP-4210], Item 45 [VAC-4212], Item 46 [SDR-4214] and Item 47 [VAR-4629].

GARY LEOBOLD, Planning and Development, stated that the Rezoning request would apply to those portions of a proposed approximately 39-acre development site that have not previously been rezoned to T-C (Town Center), which would be the remaining 29.14 acres. With regards to the Variance, the development would be a portion of an overall assemblage of lands by the applicant within Town Center and immediately to the west of Town Center. In earlier phases of the development, the applicant was allowed to provide monies in lieu of open space, as the

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 42– ZON-4208

MINUTES – Continued:

density of the proposed developments is relatively low. While no evidence of an extraordinary circumstance has been presented, the applicant has created a self-imposed hardship by not providing open space within the project. The applicant is in agreement with the provision of monies for the improvement of parks in the vicinity in lieu of open space, as this practice has been approved in the past. The application meets the Title 18 standards for private streets.

JEANINE WALLACE, **Bosser** Developer Services, appeared on behalf of Pardee Homes. MS. WALLACE requested a revision on Item 46 [SDR-4214] Condition 4, which would change to “18 feet to the front of the garage...” instead of 22 feet.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 42 [ZON-4208], Item 43 [VAR-4209], Item 44 [SUP-4210], Item 45 [VAC-4212], Item 46 [SDR-4214] and Item 47 [VAR-4629].

(8:57 – 9:04)

2-3328

CONDITIONS:

Planning and Development

1. This Rezoning request shall go direct to Ordinance.
2. Variance (VAR-4209), Special Use Permit (SUP-4210), Site Development Plan Review (SDR-4214) and Vacation (VAC-4212) applications approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 40 feet of half street right-of-way adjacent to this site for those portions of Severance Lane not previously dedicated, 50 feet of half street right-of-way adjacent to this site for Fort Apache Road and a 25-foot radius on the southwest corner of Severance Lane and Fort Apache Road prior to the issuance of any permits.
4. Construct half-street improvements including appropriate transitional paving on Severance Lane, Tee Pee Lane and Fort Apache Road adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 42– ZON-4208

CONDITIONS – Continued:

- surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
 6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE RELATED TO ZON-4208 - PUBLIC HEARING - VAR-4209 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Variance TO ALLOW 0.93 ACRES OF OPEN SPACE WHERE 2.77 ACRES IS THE MINIMUM REQUIREMENT FOR A 168-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone, U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESEDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 42 [ZON-4208] for all related discussion on Item 42 [ZON-4208], Item 43 [VAR-4209], Item 44 [SUP-4210], Item 45 [VAC-4212], Item 46 [SDR-4214] and Item 47 [VAR-4629].

(8:57 – 9:04)

2-3328

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 43– VAR-4209

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4208), Special Use Permit (SUP-4210) and Site Development Plan Review [SDR-4214].
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of \$221,285.70 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-4208 AND VAR-4209 - PUBLIC HEARING - SUP-4210 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Special Use Permit TO ALLOW A GATED COMMUNITY WITH PRIVATE STREETS on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone, U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 42 [ZON-4208] for all related discussion on Item 42 [ZON-4208], Item 43 [VAR-4209], Item 44 [SUP-4210], Item 45 [VAC-4212], Item 46 [SDR-4214] and Item 47 [VAR-4629].

(8:57 – 9:04)

2-3328

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 44– SUP-4210

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Private Street.
2. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4208) and Site Development Plan Review [SDR-4214].
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

5. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
6. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
7. Private streets shall be public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.
8. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4208 and all other subsequent site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VACATION RELATED TO ZON-4208, VAR-4209 AND SUP-4210 - VAC-4212 - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA -
Petition to vacate U.S. Government Patent Easements generally located south of Severance Lane, west of Tee Pee Lane, Ward 6 (Mack).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESEDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 42 [ZON-4208] for all related discussion on Item 42 [ZON-4208], Item 43 [VAR-4209], Item 44 [SUP-4210], Item 45 [VAC-4212], Item 46 [SDR-4214] and Item 47 [VAR-4629].

(8:57 – 9:04)

2-3328

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 45– VAC-4212

CONDITIONS:

Planning and Development

1. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required for ZON-4208 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
2. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
3. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the above conditions have been met provided, however, that Condition #5 may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.
6. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.
7. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-4208, Site Development Plan Review SDR-4214 and all other applicable site-related actions.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4208, VAR-4209 AND SUP-4210 AND VAC-4212 - PUBLIC HEARING - SDR-4214 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Site Development Plan Review FOR A 168-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 38.66 acres adjacent to the southeast corner of North Tee Pee Lane and Severence Lane (APN 125-18-801-006, 007, 008, 013, 014, 015 and 016), T-C (Town Center) Zone and U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center)], Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions and amending the following condition:

4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.

– UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 42 [ZON-4208] for all related discussion on Item 42 [ZON-4208], Item 43 [VAR-4209], Item 44 [SUP-4210], Item 45 [VAC-4212], Item 46 [SDR-4214] and Item 47 [VAR-4629].

(8:57 – 9:04)

2-3328

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 46– SDR-4214

CONDITIONS:

Planning and Development

1. A Rezoning [ZON-4208] to a T-C (Town Center) Zoning District, a Variance of open space standards (VAR-4209), a Special Use Permit for private, gated streets in Town Center (SUP-4210) and a Vacation of government patent easements (VAC-4212) approved by the City Council.
2. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein, including a requirement for the second emergency entrance to be an active gated entrance, and inclusion of the required median on Fort Apache Road.
3. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box large canopy trees planted a maximum of 35 feet on-center along Fort Apache Road and a maximum of 30 feet on-center along Severence Lane.
6. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
7. Air conditioning units shall not be mounted on rooftops.
8. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
9. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
10. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 46– SDR-4214

CONDITIONS – Continued:

11. All City Code requirements and design standards of all City departments must be satisfied.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. All development shall be in conformance with the site plan and building elevations, date stamped 03/15/04, except as amended by conditions herein.

Public Works

14. Dedicate, obtain dedication, or obtain roadway easement rights for the south half of Sunlight Peak Avenue including the entire bulb of the proposed cul-de-sac adjacent to this site prior to or concurrent with the recordation of a Final Map for this site. Also dedicate a 25-foot radius at the northwest corner of Fort Apache Road and Sunlight Peak Avenue. This condition will not be enforced if a subsequent site plan is submitted that privatizes Sunlight Peak Avenue.
15. If Sunlight Peak Avenue is a public street, construct full street improvements adjacent to this site concurrent with development of this site. Four-foot sidewalks shall be allowed provided that all street furnishings and appurtenances are placed outside the sidewalk area. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
16. Provide pedestrian access easements for all sidewalks adjacent to public streets that are not located within the public right-of-way.
17. Mountain Pass Street must be a private street or a public street; half public and half private is not acceptable.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4208 and all other subsequent site-related actions.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 46– SDR-4214

CONDITIONS – Continued:

20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles, including private street/private drive intersections are proposed within this subdivision.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

ABEYANCE - RENOTIFICATION - VARIANCE - PUBLIC HEARING - VAR-4629
- APPLICANT/OWNER: DAY STAR VENTURE, LIMITED LIABILITY COMPANY -
Request for a Variance TO ALLOW AN 11-FOOT REAR SETBACK WHERE 15 FEET IS REQUIRED ON LOT 40; A 10-FOOT REAR, 7-FOOT STREET SIDE, AND 5-FOOT FRONT AND STREET SETBACKS WHERE 15-FOOT REAR, 10-FOOT STREET SIDE AND 10-FOOT FRONT SETBACKS ARE REQUIRED ON LOT 41; AND A 7-FOOT FRONT SETBACK WHERE 10 FEET IS REQUIRED ON LOT 48 in the Day Dawn Fusion Subdivision adjacent to the southeast corner of Fort Apache Road and Alexander Road (APN: 138-08-101-001), U (Undeveloped) Zone [L (Low Density Residential) General Plan Designation] under Resolution of Intent to R-PD5 (Residence Planned Development - 5 Units per Acre) Zone, Ward 4 (Brown).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – APPROVED subject to conditions – Motion carried with McSWAIN voting No and TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated the item was held in abeyance in order to advertise again and list all the variances requested by the applicant. There is no

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 47– VAR-4629

MINUTES – Continued:

evidence of an extraordinary circumstance, as the applicant imposed this hardship by plotting more parcels onto this property than could be consistent with the setback standards established by the project's R-PD5 zoning and Site Development Review.

JOHN FIELDS, 3800 Howard Hughes Parkway, appeared on behalf of the applicant. He stated that on August 6, 2003, the City Council approved a rezoning application, along with an open space Variance and a Site Development Plan Review. The applicant had worked closely with the residents and Councilman Larry Brown, and a compromise was reached that affected the portion of the Site Plan that was presented at this meeting, two of the ten acres. The applicant agreed that Lots 38, 39, 42 and 43 would be single story homes and would increase the side setbacks on these lots from five feet to ten feet to create an additional buffer between the proposed development and the larger lots south of the proposed development. Public Works required a five-foot turning lane be placed on the east side.

COMMISSIONER McSWAIN expressed her concern regarding “z lot lines”, as some of the lots appeared to be crammed into some spaces on the site, such as Lot 48. She suggested providing some open space within this clustered area. VICE CHAIRMAN NIGRO stated that the application could be denied on the specified lots, but the Site Development Plan Review was already approved by City Council. In response to COMMISSIONER McSWAIN'S concern, DEPUTY CITY ATTORNEY BRYAN SCOTT suggested that the applicant could probably reconfigure the structure on the site. COMMISSIONER DAVENPORT then stated that the variances resulted from the additional setback on Lot 42, which created the need on Lot 48. COMMISSIONER McSWAIN commented that if the park is being used as open space, as MR. FIELDS stated, then it is also important to look at what is aesthetically pleasing and livable for residents within that community, including the amenities of that park. In response to VICE CHAIRMAN NIGRO'S questions regarding optional plans that would fit on these lots, MR. FIELDS replied that there are none.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(9:04 – 9:10)
2-3794/3-78

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 47– VAR-4629

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-2415), Site Development Plan Review (SDR-2418), Variance (VAR-2419), Tentative Map (TMP-3068), and Final Map Technical Review (FMP-4426).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council. New Construction.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

ABEYANCE - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4604 - APPLICANT/OWNER: 600 CASINO CENTER, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and WAIVERS from the Downtown Centennial Plan parking lot screening requirements, parking lot landscaping requirements, and Title 19 perimeter wall and buffer requirements, FOR A PROPOSED PARKING LOT on 0.72 acres adjacent to the southwest corner of Bonneville Avenue and Casino Center Boulevard (APN: 139-34-311-043 through 047), C-2 (General Commercial) and R-4 (High Density Residential) Zones under Resolution of Intent to C-2 (General Commercial), Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and amending the following conditions:

1. This Site Development Plan Review shall be reviewed in five years by the Planning Commission and City Council. At that time, the full Centennial Plan improvements *shall* be required.
8. Utilities and power service lines in alleys shall be located underground.

– UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 48– SDR-4604

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

VICE CHAIRMAN NIGRO requested that this item be moved up on the agenda for discussion prior to the One Motion One Vote items.

DAVID CLAPSADDLE, Planning and Development, stated that this item was previously held in abeyance to allow time for staff to meet with the applicant. Two meetings have taken place, and the applicant submitted a revised Site Plan. MR. CLAPSADDLE emphasized that staff agreed to a waiver of the Centennial Plan standard only because of the applicant's commitment to place a permanent structure on this site, and eventually implement the Centennial Plan standards on this site. Staff suggested the Site Plan be approved for a maximum of five years, with a required review at a Public Hearing. At the time of review, all Centennial Plan standards may be required to be installed at the time of the review. He continued on by saying that the applicant's intent is to build an office building on this site, which would conform to all Centennial Plan standards and contribute positively to the redevelopment of the downtown area. MR. CLAPSADDLE used the overhead to show photographs of a nearby parking lot that has the exterior landscaping as staff suggested the proposed one should look like. In addition, staff requested a revision on Condition 8. He reiterated that this project is a temporary parking lot, with the agreement that the exterior landscaping would be constructed and installed like the example shown on the overhead, and with agreement of all conditions.

DAVID CHESNOFF, 520 S. 4th Street, and JOHN SPILATRO appeared and stated they concurred with staff's conditions, with the exception of Condition 8. The concern is if the applicant would have to solely absorb all costs involved for the underground electrical work, as solar power would be the means for electricity. As a result, MR. CHESNOFF requested that Condition 8 be revised to include "with contributions from the neighbors". He also stated that the overhead depicted landscaping with grass. However, the applicant wanted to be water conscious and use stone instead of grass, as staff also felt this was a good idea. MR. CHESNOFF expressed his gratitude for staff's assistance with this application.

MARGO WHEELER, Planning and Development, responded that changing Condition 8 would require the Planning Commission to approve an additional Waiver of the underground requirements. In addition, this would have to go forward to City Council for action. MR. CHESNOFF then stated that, upon completion of the building, if the neighbors have not done so, then the applicant would be willing to be responsible for the underground electrical work.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 48– SDR-4604

MINUTES – Continued:

COMMISSIONER McSWAIN requested a stipulation to ensure that the underground electrical work is completed at some point. MR. CLAPSADDLE replied that Condition 1 is inclusive of her request because it is part of the Centennial Plan improvements. In addition, in response to COMMISSIONER McSWAIN'S question, he answered if after five years, there is not a revised Site Plan and the structure is still a parking lot, the Commission could then require that the applicant conform to the Centennial Plan standards at that time. COMMISSIONER McSWAIN felt that there should be some type of written promise that the parking lot would not remain as a parking lot without some type of development.

For the record, MR CHESNOFF then gave his word that if an office building is not built after five years, all standards of the Centennial Plan would be implemented at that time. Thereafter, DEPUTY CITY ATTORNEY BRYAN SCOTT suggested placing a condition that states if the building is not erected within five years, then the use would discontinue. MR. CLAPSADDLE added that the intent of the condition is that it allows a maximum approval of a parking lot for five years.

COMMISSIONER GOYNES stated that he would support the proposed project.

MR. CHESNOFF verified for COMMISSIONER STEINMAN that the solar power would be used for the water aspect of the landscaping.

MS. WHEELER verified for VICE CHAIRMAN NIGRO that when the applicant requests a Waiver and the Commission approves it, then the Waiver request is then forwarded to the City Council as a recommendation for approval. MR. CLAPSADDLE then verified for VICE CHAIRMAN NIGRO that the parking lot is a permitted use within the Downtown Centennial Plan. He then reiterated to VICE CHAIRMAN NIGRO that after five years, there would be a required review of the Site Plan; if a parking lot still exists, then the Commission could require that the Centennial Plan infrastructure be completed by a specified date.

VICE CHAIRMAN NIGRO approved of the waiver request to hold off completion of the underground electrical work because of the proposed temporary structure. However, he suggested that Condition 1 should be amended now to require the implementation of the Centennial Plan improvements upon the five-year review, whether the structure is a parking lot or an office building, including the underground electrical work. MR. CHESNOFF concurred with VICE CHAIRMAN NIGRO'S requested revision on Condition 1 and the revision on Condition 8, including all other recommended conditions.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:19 – 6:33)

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 48– SDR-4604

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall be reviewed in five years by the Planning Commission and City Council. At that time, the full Centennial Plan improvements shall be required.
2. All development shall be in conformance with the site plan and building elevations, date stamped 8/18/04, except as amended by conditions herein.
3. Eight-foot deep landscape buffers shall be provided at the perimeter of the property. A decorative 42” high parking lot screen fence shall be installed along the Casino Center Boulevard and Bonneville Avenue frontages in accordance with Subsection DS3.1.g of the Downtown Centennial Plan. The screen fence shall conform to the design shown in Graphic 5 of the Downtown Centennial Plan; exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272. Landscaping shall be provided in the perimeter buffer areas in accordance with Title 19.12.
4. A decorative block wall, with at least 20 percent contrasting materials, shall be installed along the interior property lines in accordance with Title 19.12. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
5. Landscape islands shall be provided on both ends of the central parking aisle in accordance with the requirements of Title 19.12. A minimum of one shade tree shall be provided within the landscape areas for every six parking spaces.
6. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Turf shall be utilized for no more than 12.5% of the total landscape area. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Any streetscape improvements to the public right-of-way along Bonneville Avenue shall be coordinated with the Public Works Department for conformance to the development plan for the Bonneville Clark Couplet construction project.
8. Utilities and power service lines in alleys shall be located underground.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 48– SDR-4604

CONDITIONS – Continued:

9. Fourth Street style light fixtures shall be installed in place of existing fixtures in the public right-of-way in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
10. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
11. Utilities and power service lines in alleys shall be located underground; the property owner shall be required to provide for their proportionate share of the utility relocation and alleyway treatment pursuant to a schedule as adopted by City Council.

Public Works

12. Dedicate a 10 foot radius and also grant a chord easement on the southwest corner of Bonneville Avenue and Casino Center Boulevard prior to the issuance of any permits. Coordinate with the Right-of-Way Section of the Department of Public Works for assistance in preparing the appropriate documents.
13. Coordinate with the City Engineer to determine appropriate improvements for the Bonneville Clark Couplet. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
14. Remove all substandard public street improvements, if any, adjacent to this site and replace with new improvements meeting current City Standards concurrent with on-site development activities.
15. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.
16. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing drainage patterns for this site prior to the issuance of grading permits. Provide and improve all drainageways as recommended.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 48– SDR-4604

CONDITIONS – Continued:

17. Landscape and maintain all unimproved right-of-way on Bonneville Avenue and Casino Center Boulevard adjacent to this site.
18. Submit an Encroachment Agreement for all private improvements located in the Bonneville Avenue and Casino Center Boulevard public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

**ABEYANCE - MASTER SIGN PLAN - PUBLIC HEARING - MSP-4622 -
APPLICANT: AUTO NATION – OWNER: JRJ PROPERTIES AND JOHN K.
BIEGGER - Request for a Master Sign Plan FOR TWO EXISTING AUTO DEALERSHIPS
on 9.39 acres at 5050 West Sahara Avenue (APN: 163-01-803-003, 004 and 005), C-2 (General
Commercial) Zone, Ward 1 (Moncrief).**

ABEYANCE TO THE 9/9/04 PC MEETING

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

**GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740],
Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning
Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item
38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to
9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning
Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and
WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with
McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the
applicant and TRUESDELL AND EVANS excused**

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 49– MSP-4622

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

MAJOR MODIFICATION - PUBLIC HEARING - MOD-4632 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY - Request for a Major Modification to the Lone Mountain Master Development Plan FROM: VC (VILLAGE COMMERCIAL) TO: MLA (MEDIUM-LOW ATTACHED RESIDENTIAL) on 12.7 acres adjacent to the southwest corner of Buckskin Avenue and Shady Timber Street (APN 137-12-801-001 and a portion of 137-12-401-022), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone, Ward 4 (Brown).

ABEYANCE TO THE 8/26/04 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 8/26/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and **HOLD IN ABEYANCE** Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; **TABLE** Item 2 [TMP-4706] and Item 74 [SDR-4730]; and **WITHDRAW WITHOUT PREJUDICE** Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 50– MOD-4632

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

WAIVER RELATED TO MOD-4632 - PUBLIC HEARING - WVR-4754 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY - Request for a Waiver of Title 18.12.160 TO ALLOW A 210-FOOT SEPARATION DISTANCE BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, in conjunction with a proposed 44-lot single-family attached residential development on 3.70 acres adjacent to the southwest corner of Shady Timber Street and Buckskin Avenue (APN portion of 137-12-401-022 and portion of 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [Village Commercial Lone Mountain Special Land Use Designation - PROPOSED: Medium-Low Attached Residential], Ward 6 (Mack).

ABEYANCE TO THE 8/26/04 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 8/26/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 51– WVR-4754

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-4632 AND WVR-4754 - PUBLIC HEARING - SDR-4751 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SHADOW HILLS PLAZA, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review FOR A PROPOSED 44-LOT SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 3.70 acres adjacent to the southwest corner of Shady Timber Street and Buckskin Avenue (APN portion of 137-12-401-022 and portion of 137-12-801-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] under Resolution of Intent to PD (Planned Development) Zone [Village Commercial Lone Mountain Special Land Use Designation - PROPOSED: Medium-Low Attached Residential], Ward 6 (Mack).

ABEYANCE TO THE 8/26/04 PC MEETING**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 8/26/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 52– SDR-4751

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4699 - APPLICANT: INVESTORS REALTY GROUP - OWNERS: WEILAND TRUST B AND SAN GREGARIO, LIMITED LIABILITY COMPANY - Request for a Rezoning FROM: U (UNDEVELOPED) [O (OFFICE) GENERAL PLAN DESIGNATION] TO: O (OFFICE) on 2.5 acres adjacent to the northwest corner of Cheyenne Avenue and Campbell Road (APN 138-08-401-009), Ward 4 (Brown).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions and adding the following condition on Item 53 [ZON-4699]:

The applicant shall work with staff prior to submittal of a Site Development Plan Review to ensure that the final elevations of building pad(s) and parking lot are to the lowest height allowed by the Regional Flood Control District Manual and shall submit an exterior wall plan with the Site Development Plan Review showing existing and proposed grades, proposed wall heights and maximum retaining wall heights at the perimeters of the site.

– UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 53– ZON-4699

MINUTES – Continued:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 53 [ZON-4699] and Item 18 [VAC-4700].

DAVID CLAPSADDLE, Planning and Development, stated that the property to the west is designated Office, and this is a stand-alone rezoning to Office. A subsequent Site Plan would have to be submitted prior to the issuance of a building permit.

GINA VENGLASS, Public Works, read into record the requested added condition on Item 53 [ZON-4699].

RICHARD TURNER, 6765 W. Russell, appeared on behalf of the applicant and concurred with staff's recommendations. He asked for clarification on the added condition regarding the block wall. He understood that the block wall is an existing wall adjacent to a residential community and there would be no impact. MS. VENGLASS requested that the applicant provide a Site Plan Review reflecting the existing block wall, as this would suffice. VICE CHAIRMAN NIGRO confirmed with MR. TURNER concurrence with this request.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 53 [ZON-4699] and Item 18 [VAC-4700].

(7:24 – 7:29)

1-3111

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Cheyenne Avenue, 30 feet for Campbell Road, and a 25-foot radius at the northwest corner of Cheyenne Avenue and Campbell Road prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 53– ZON-4699

CONDITIONS – Continued:

4. Construct all incomplete half-street improvements on Cheyenne Avenue, including appropriate transition paving if legally able, and on Campbell Road adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundary of this site prior to construction of hard surfacing (asphalt or concrete).
5. Extend public sewer to the west edge of this site at a depth and location acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
7. The applicant shall work with staff prior to submittal of a Site Development Plan Review to ensure that the final elevations of building pad(s) and parking lot are to the lowest height allowed by the Regional Flood Control District Manual and shall submit an exterior wall plan with the Site Development Plan Review showing existing and proposed grades, proposed wall heights and maximum retaining wall heights at the perimeters of the site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4746 - APPLICANT/OWNER: JACOB J. KIEFER - Request for a Rezoning FROM: R-E (Residence Estates) TO: R-1 (Single-Family Residential) on 1.45 acres adjacent to the northeast corner of Elkhorn Road and Unicorn Street (APN 125-13-801-011), Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

DAVID CLAPSADDLE, Planning and Development, stated that the proposed R-1 zoning conformed with the General Plan category; however, there are RE properties to the north and to the west of Unicorn Street. The area is an established rural neighborhood; the proposed lots would be an intrusion to the established lifestyle.

JAY KIEFER, 4429 Lawrence Street, stated within the Notification area, the existing RE lots consists of only 8.5 percent. Within the proposed property on the south and west side, the lots are at a higher density.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 54– ZON-4746

MINUTES – Continued:

STEVEN FALDMO, 360 Manti Place, Henderson, stated that the City Council approved a similar project on 2.1 acres, as R-2, on Dorrell Lane and Unicorn Street, which is located one block from this proposed project. The similar project is surrounded by three R-E properties and one R-1 property. MR. KIEFER added that the setbacks would be large, as there would be no houses within 60 feet of the existing homes. In addition, the proposed project consisted of single story homes. Using the overhead, he showed the Commission two lots that face Unicorn Street; the other lots are vacant and face other streets.

MIKE and DR. KATHY DUNNE, 7224 Unicorn, reside three lots north of the proposed site on a one-acre lot. They opposed to the rezoning, as they would like to continue to enjoy their quality of life within this neighborhood. She felt that certain luxuries have been taken away in the past, such as riding their horses and four-wheelers. Their neighborhood has approximately 40 horses in the area, and there are also rabbits and desert tortoises. She continued to state that her home faces a brick wall, and they do not have a front yard.

INAUDIBLE FEMALE SPEAKER and JORGE TORRES, 7240 Unicorn Street, both opposed the proposed project but suggested, and would also approve, if the applicant would be granted a Variance to build two homes without being charged for the street, as they are there for lifestyle and the applicant would still make a profit. INAUDIBLE FEMALE SPEAKER stated her property is next to the proposed development. Her family took nine months to find rural property and would not want to see several homes next to their property. She added that the vacant area is used as a park, and many people walk over and view the horses and take walks. They felt that having four homes on the proposed site would cluster the area and not blend in with the community.

MILDRED POPE, 7224 Unicorn, stated that MR. KIEFER knew the zoning was R-E when he first purchased it but had every intention to try and change the zoning after the fact. The residents within this community get along well and enjoy their horses. She opposed the proposed project and would not want to see the lifestyle in this area changed.

MR. KIEFER responded that the majority of the residents of the 13 lots in the area do not have livestock or horses. He added that he and MR. FALDMO both intend to reside within this community on one of the properties. They have spoken to a renter who resides across the street from the proposed property who does not oppose to the rezoning. In addition, another resident who resides north of the proposed project does not oppose to the rezoning.

COMMISSIONER McSWAIN pointed out the fact that there are residents who will go to great lengths to preserve their communities, and she opposed to developing four units on this site.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 54– ZON-4746

MINUTES – Continued:

VICE CHAIRMAN NIGRO encouraged the applicant to meet with the residents prior to City Council to come up with a solution that all parties involved could agree to. MR. KIEFER replied that it was his understanding that there were some things that the residents agreed to in previous meetings; however, it appeared at this meeting they have changed their minds. VICE CHAIRMAN NIGRO reiterated his suggestion and pointed out that statements have been made, for the record, and those comments should hopefully facilitate further conversations towards a resolution. MR. KIEFER concurred.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(9:26 – 9:42)

3-348

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

REZONING - PUBLIC HEARING - ZON-4755 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L - Request for a Rezoning FROM: U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] TO: R-PD7 (Residential Planned Development - 7 Units per Acre) on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with McSWAIN abstaining as her firm does work for the applicant, Richmond American Homes and TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 55 [ZON-4755], Item 56 [WVR-4744] and Item 57 [SDR-4756].

DAVID CLAPSADDLE, Planning and Development, gave a brief overview of the proposed project. He added that the rezoning request to R-PD7 would allow the seven units per acre, and the proposed project is in conformance with the Planned Community Development (PCD) General Plan Designation. The rezoning request is also compatible with the surrounding area.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 55– ZON-4755

MINUTES – Continued:

Due to the low volumes of traffic in the area and the minor reduction of setbacks, the Rezoning is appropriate. He pointed out a positive feature relative to the proposed open space areas in the northeast corner and western portion of the site.

JENNIFER LAZOVICH, 3800 Howard Hughes Parkway, concurred with staff's recommendations.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 55 [ZON-4755], Item 56 [WVR-4774] and Item 57 [SDR-4756].

(9:42 – 9:49)
3-847

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review application (SDR-4756) and a Title 18 Waiver (WVR-4774) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate an additional 10 feet of right-of-way for a total half street width of 60 feet on Grand Teton Drive, an additional 10 feet of right-of-way for a total half street width of 60 feet on Durango Drive, 30 feet of right-of-way adjacent to this site for Quail View Street, a 25-foot radius at the southwest corner of Grand Teton Drive and Quail View Street, and a 15-foot radius at the northwest corner of Quail View Street and Jo Marcy Drive. Additional dedications in accordance with Standard Drawings #201.1 and #234.1 shall also be provided.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 55– ZON-4755

CONDITIONS – Continued:

4. Construct half-street improvements, including appropriate overpaving, on Durango Drive, Grand Teton Drive, Quail View Street and Jo Marcy Drive adjacent to this site concurrent with development. Also construct the complete median island required within Grand Teton Drive adjacent to this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development.
5. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
6. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

WAIVER RELATED TO ZON-4755 - PUBLIC HEARING - WVR-4774 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L - Request for a Waiver of Title 18.12.160 TO ALLOW A 204-FOOT SEPARATION DISTANCE BETWEEN INTERSECTIONS WHERE A MINIMUM OF 220 FEET IS REQUIRED when providing external access from a subdivision to an existing street having a right-of-way width of 60 feet or more, in conjunction with a proposed 74-lot single-family residential development on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre)], Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with McSWAIN abstaining as her firm does work for the applicant, Richmond American Homes and TRUESELL and EVANS excused

To be heard by the City Council on 9/15/2004

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 56– WVR-4774

MINUTES – Continued:

NOTE: See Item 55 [ZON-4755] for all related discussion on Item 55 [ZON-4755], Item 56 [WVR-4774] and Item 57 [SDR-4756].

(9:42 – 9:49)

3-847

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-4755) and Site Development Plan Review (SDR-4756).
2. All City Code Requirements and all City Departments design standards shall be met, other than those waived or varied through this and companion applications.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4755 AND WVR-4774 - PUBLIC HEARING - SDR-4756 - APPLICANT: RICHMOND AMERICAN HOMES OF NEVADA, INC. - OWNER: CAN CAN II (KB) TARGETS, LIMITED PARTNERSHIP AND RONALD MICH'L AND CAROLYN MICH'L - Request for a Site Development Plan Review and a Waiver of the Perimeter Landscape Standards FOR A PROPOSED 74-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 10.57 acres adjacent to the southeast corner of Grand Teton Drive and Durango Drive (APN 125-16-101-001), U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] [PROPOSED: R-PD7 (Residential Planned Development - 7 Units per Acre)], Ward 6 (Mack).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

DAVENPORT – APPROVED subject to conditions – Motion carried with McSWAIN abstaining as her firm does work for the applicant, Richmond American Homes and TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 55 [ZON-4755] for all related discussion on Item 55 [ZON-4755], Item 56 [WVR-4774] and Item 57 [SDR-4756].

(9:42 – 9:49)

3-847

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 57– SDR-4756

CONDITIONS:

Planning and Development

1. A Rezoning (ZON-4755) to an R-PD7 (Residential Planned Development - 7 Units per Acre) Zoning District and a Title 18 Waiver (WVR-4774) to allow a substandard intersection offset, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan, landscape plan and building elevations, date stamped 07/21/04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum distance between buildings of ten feet, and building height shall not exceed two stories or 26 feet, whichever is less.
5. The setbacks for this development shall be a minimum of 10 feet to the front of the house, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 5 feet on the corner side, and 15 feet in the rear.
6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters along Durango Drive and Grand Teton Drive.
7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
8. Air conditioning units shall not be mounted on rooftops.
9. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
11. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 57– SDR-4756

CONDITIONS – Continued:

12. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
13. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

14. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
16. Landscape and maintain all unimproved right-of-way on Durango Drive and Grand Teton Drive adjacent to this site concurrent with development of this site.
17. Submit an Encroachment Agreement for all landscaping and private improvements in the Durango Drive and Grand Teton Drive public rights-of-way adjacent to this site.
18. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-4755 and all other subsequent site-related actions.
19. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4720 - APPLICANT: ALBERTSONS, INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW 60 PARKING SPACES WHERE 79 SPACES IS THE MINIMUM REQUIRED in conjunction with a proposed retail building (Pharmacy) on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 58 [VAR-4720], Item 59 [WVR-4744] and Item 60 [SDR-4756].

GARY LEOBOLD, Planning and Development, gave a brief overview of the proposed application as indicated in staff's report. He pointed out that a hardship did not exist to warrant the Variance for the amount of required parking spaces. In addition, due to the reduction in the amount of parking spaces, staff felt that this could exacerbate by the use of the gaming machines. Lastly, the site is overbuilt, which caused the reduction in site amenities that would assist in beautifying the site.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 58 – VAR-4720

MINUTES – Continued:

KEVIN NOVACK, Laurel Ridge Properties, appeared on behalf of the owner with MIKE LESCANO, Albertson's, and JOHN LEE, CLT Architects. MR. NOVACK apologized to staff and the Commission for not including in their justification letter the parking and landscaping reductions. He stated that agreeing to dedicate a right turn lane and a bus turnout caused a reduction of approximately 5,000 square feet. He added that they concurred with staff's conditions.

COMMISSIONER McSWAIN stated she viewed the site, and although she appreciated the applicant's efforts on working with this site, she was not comfortable with the gaming component in this neighborhood, as it is going through a revitalization process. In response to COMMISSIONER McSWAIN, MR. NOVACK informed her that the car wash located next to this proposed project has gaming inside of the facility. He used the overhead to show COMMISSIONER McSWAIN the landscaping plan. MR. NOVACK added that the site would strictly be a Sav-On drugstore. MR. LEOBOLD stated that the applicant is providing 70-80% of the landscaping requirement, as the most notable deficiency is in the parking area, as the applicant would not want to lose additional parking spaces to landscaping. MR. LEE stated that the size of the area for gaming would be 14 x 60 feet, approximately 13 machines.

COMMISSIONER STEINMAN stated that the proposed project has an overabundance of square footage for this site. He suggested that if the drive-through section and the gaming would be eliminated, then there would be at least 10-12 additional parking spaces. He understands that gaming is a part of Las Vegas, but the site is restricted and parking is needed. MR. NOVACK stated that Sav-On is not seeking a liquor license because there is a church within the restricted boundaries, but the drive-through would assist in the flow of traffic in the parking area. There is a similar development on Tonopah and Charleston Boulevard that they worked on that included gaming. The site has a drive-through with less parking. He felt that the project was successful and is not aware of any complaints regarding lack of parking. COMMISSIONER STEINMAN questioned how the applicant could have gaming but not liquor due to the location of the church. DEPUTY CITY ATTORNEY BRYAN SCOTT replied that there is no distance separation between gaming and the projected uses. MR. LESCANO stated that the need for the drive through is to accommodate customers, such as mothers with sick children. He added that they felt they have worked with staff in addressing all of the concerns. They would like to be good neighbors and continue to do business within the community.

COMMISSIONER McSWAIN stated that because there is gaming next to this proposed project, she could support this project with gaming. In addition, she has not seen many vehicles in a drug store parking lot at any given time. In response to COMMISSIONER STEINMAN'S concern with stacking, MR. NOVACK stated that staff previously requested on the original site plan photos depicting approximately seven vehicles waiting in the drive through. However, a traffic

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 58 – VAR-4720

MINUTES – Continued:

study was done in two areas that indicated there was an average of 1.78 vehicles per hour waiting in the drive through, but during peak hours, there was an average of three vehicles per hour. The proposed project would have one lane for drive-through and the other for pick-ups. He also pointed out for COMMISSIONER DAVENPORT that another one of his Sav-On stores, like the proposed project, is located on Tonopah and Charleston Boulevard that has fewer parking spaces and less square footage. COMMISSIONER DAVENPORT, along with VICE CHAIRMAN NIGRO, agreed with COMMISSIONER McSWAIN'S previous comment regarding few vehicles in a drug store parking lot at any given time. VICE CHAIRMAN NIGRO then stated that there has to be a Code that is workable yet makes exceptions in certain cases. This site has been vacant for five years and felt that this is a redevelopment project, and he would support the project.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 58 [VAR-4720], Item 59 [WVR-4744] and Item 60 [SDR-4756].

(9:49 – 10:04)

3-1066

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for a Special Use Permit (SUP-4719) and a Site Development Plan Review (SDR-4718) by the City Council.
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO VAR-4720 - PUBLIC HEARING - SUP-4719 - APPLICANT: ALBERTSONS INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED GAMING ESTABLISHMENT, RESTRICTED on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUEDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 58 [VAR-4720] for all related discussion on Item 58 [VAR-4720], Item 59 [SUP-4719] and Item 60 [SDR-4718].

(9:49 – 10:04)
3-1066

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 59 – SUP-4719

CONDITIONS:

Planning and Development

1. Conformance to all Minimum Requirements under Title 19.04.050 for a Special Use Permit.
2. Approval of and conformance to the Conditions of Approval for an accompanying Site Development Plan Review (SDR-4718).
3. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4720 AND SUP-4719 - PUBLIC HEARING - SDR-4718 - APPLICANT: ALBERTSONS, INC. - OWNER: FLAMINGO SEC PARTNERS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and Waivers of Perimeter and Foundation Landscaping Standards, and of Building Placement Standards FOR A PROPOSED SINGLE-STORY, 13,848 SQUARE-FOOT RETAIL BUILDING (PHARMACY) on 1.43 acres at 4800 West Charleston Boulevard (APN 138-36-804-009), C-1 (Limited Commercial) Zone, Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 58 [VAR-4720] for all related discussion on Item 58 [VAR-4720], Item 59 [SUP-4719] and Item 60 [SDR-4718].

(9:49 – 10:04)
3-1066

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 60 – SDR-4718

CONDITIONS:

Planning and Development

1. All development shall be in conformance with the site plan and building elevations, date stamped 07/12/04, except as amended by conditions herein.
2. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a greater number of trees and shrubs that more closely meets compliance with the landscaping standards.
3. A Variance (VAR-4720) to reduce the required number of parking spaces approved by the City Council.
4. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit to reflect the conditions of approval for this application.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
8. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets and otherwise meet all requirements and standards of the City. The trash enclosure shall be provided with a roof.
9. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wall pack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building.
10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 60 – SDR-4718

CONDITIONS – Continued:

11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

15. Dedicate an additional 29 feet of right-of-way for a total radius of 54 feet on the northwest corner of Charleston Boulevard and Decatur Boulevard and an additional 10 feet of right-of-way for a total radius of 25 feet on the southwest corner of Decatur Boulevard and Alpine Street prior to the issuance of any permits. Dedicate all additional rights-of-way required by Standard Drawing #201.1 for turning lanes and #234.1 or #234.3 for bus turnouts prior to the issuance of any permits.
16. Meet with the Traffic Engineering Representative in Land Development for assistance in the redesign of the proposed driveway accessing Decatur Boulevard, on site circulation including drive thru facility, and parking lot layout to an acceptable configuration prior to the submittal of any construction plans.
17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A and the proposed driveway accessing Charleston Boulevard shall receive approval from the Nevada Department of Transportation.
18. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Construct all improvements necessary for the required bus turnout and turning lanes concurrent with development of this site.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 60 – SDR-4718

CONDITIONS – Continued:

19. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.
20. Landscape and maintain all unimproved right-of-way on Charleston Boulevard, Decatur Boulevard and Alpine Street adjacent to this site.
21. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
22. Submit an Encroachment Agreement for all landscaping and private improvements located in the Decatur Boulevard and Alpine Street public right-of-way adjacent to this site prior to occupancy of this site.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4725 - APPLICANT/OWNER: CRAIG P. KENNY - Request for a Variance TO ALLOW NINE PARKING SPACES WHERE 22 SPACES IS THE MINIMUM REQUIRED IN CONJUNCTION WITH A PROPOSED OFFICE ADDITION on 0.20 acres at 724 South Eighth Street (APN 139-34-810-035), P-R (Professional Office and Parking) Zone, Ward 5 (Weekly).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

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APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Initial motion for DENIAL was rescinded – Subsequent motion by GOYNES to HOLD IN ABEYANCE – APPROVED – UNANIMOUS with TRUESDELL and EVANS excused

To be held in abeyance until 9/09/2004 PC Meeting

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 61 [VAR-4725] and Item 62 [SDR-4724].

DAVID CLAPSADDLE, Planning and Development, stated that the main concern was that the site would be overbuilt and out of character for the neighborhood. The applicant proposed to add 4,320 square feet of floor area to an existing professional office of 2,103 square feet. Only one additional space is proposed after the applicant has added more than double the existing floor area.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 61– VAR-4725

MINUTES – Continued:

BRADLEY KENNEY, Attorney, 723 S. 7th Street, appeared on behalf of the applicant, and requested approval of the application based on staff's recommendations. He added that they own the building at 723 S. 7th Street, which is behind the proposed site. He stated that the staff would not increase; they would be building additional space for the current staff's files. They would like to add a conference room on the first floor to accommodate their clientele. ATTORNEY KENNEY felt that this proposed site would blend in well with the structures built recently, as he referenced Don Campbell's building on 7th Street and Councilman Steve Wolfson's building on 8th and Bonnevillle. Seventh, Eighth and Ninth Streets have become predominantly "law office row".

In response to COMMISSIONER DAVENPORT'S question regarding the 7th Street office building, ATTORNEY KENNEY responded that there are 12 parking spaces with approximately 4,000 square feet. He added that the building consists of primarily professional law offices and a few accounting offices. He pointed out during the street paving, 7th and 8th Street were blocked off but did not create any additional hardship with parking.

COMMISSIONER McSWAIN stated that concessions are made for reasons such as maintaining the character of the area. Although the photos depicted the front area of the site residential in character, the rear appeared as a big box and did not enhance the area. She disliked the site plan.

ATTORNEY KENNEY stated that he and his brother are committed to staying in the downtown area and try to give back to the community as well. He referenced a structure for sale on 4th Street and Gass that is a larger site but is in character with the neighborhood. COMMISSIONER McSWAIN felt that better efforts could have been made to add something to this property so that it would be more aesthetically pleasing.

COMMISSIONER STEINMAN confirmed with ATTORNEY KENNEY that his practice is primarily personal injury and workman's compensation, so there is a high traffic of customers on 7th Street. There are four attorneys on 8th Street who primarily meet with their clients outside of their offices. COMMISSIONER STEINMAN pointed out on the Site Plan that the file storage space is greater than the proposed office, as he felt that the storage area would become offices and create additional traffic. He felt that the applicant is doing a disservice to their clientele, as parking in this area is difficult. ATTORNEY KENNEY reiterated that their goal is to alleviate some of the space on 7th Street and create additional offices on 8th Street.

VICE CHAIRMAN NIGRO stated he would not support the application more so because the proposed project is not aesthetically pleasing.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 61– VAR-4725

MINUTES – Continued:

ATTORNEY KENNEY confirmed with COMMISSIONER McSWAIN that if the item was held in abeyance, he would have the opportunity to work on the site plan with the architect and staff. MR. CLAPSADDLE concurred.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed Item 61 [VAR-4725] and Item 62 [SDR-4724].

(10:04 – 10:19)
3-1682

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-4725 - PUBLIC HEARING – SDR-4724 - APPLICANT/OWNER: CRAIG P. KENNY - Request for a Site Development Review FOR A PROPOSED TWO-STORY, 4,320 SQUARE FOOT OFFICE ADDITION on 0.20 acres at 724 South Eighth Street (APN 139-34-810-035), P-R (Professional Office and Parking) Zone, Ward 5 (Weekly).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Initial motion for DENIAL failed – Subsequent motion to HOLD IN ABEYANCE – APPROVED – UNANIMOUS with TRUESDELL and EVANS excused

To be held in abeyance until 9/09/2004 PC Meeting

MINUTES:

NOTE: See Item 61 [VAR-4725] for all related discussion on Item 61 [VAR-4725] and Item 62 [SDR-4724].

(10:04 – 10:19)
3-1682

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4701 - APPLICANT: TERRIBLE HERBST, INC. - OWNER: RANCHO CIRCLE SHOPPING CENTER, LIMITED LIABILITY COMPANY - Request for a Variance TO ALLOW A PROPOSED 100-FOOT TALL FLAG POLE WHERE 40 FEET IS THE MAXIMUM HEIGHT ALLOWED at 2401 West Bonanza Road (APN 139-29-801-004), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – Motion carried with DAVENPORT abstaining as he owns property within the Notification area and McSWAIN voting No with TRUESEDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the proposed flagpole would be located within an approved Terrible Herbst convenience store development, which includes gasoline sales and an automatic car wash. The site plan indicated that the pole would be centrally positioned on the site near the convenience store. The accompanying flag size would be 20 feet wide by 30 feet in length.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 63 – VAR-4701

MINUTES – Continued:

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by proposing to construct a flag pole that is two and a half times than the Code permits when it otherwise could have easily constructed it to Code standards. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

TRINA JARCO, 3625 S. Polaris Avenue, appeared on behalf of the applicant and stated that the flag size and height is a basic standard for Terrible Herbst gas stations. With regards to Condition 2, she stated that the owner is currently working with Sprint on housing the antennas inside the freeway sign located near the site and not inside the flagpole. She confirmed for ROBERT GENZER, Planning and Development, that the existing pole with the antenna that was part of a previous sign would be eliminated, so staff could agree with the proposed location for the new antennas.

COMMISSIONER McSWAIN stated she has not approved 100-foot flagpoles in the past. There is already a huge advertising sign on this site, and she felt that the flagpole would obstruct the existing sign.

In response to DEPUTY CITY ATTORNEY BRYAN SCOTT'S question regarding a condition for the existing pole, MR. GENZER and MS. JARCO confirmed that this was addressed as one of the requirements within the original Master Sign Plan, so the old signage would have to be removed.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(10:19 – 10:24)

3-2285

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The flagpole must be able to co-locate a minimum of two wireless communication antennae.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

VARIANCE - PUBLIC HEARING - VAR-4733 - APPLICANT: LAMAR ADVERTISING COMPANY - OWNER: D. 2801 WESTWOOD, INC. - Request for a Variance TO ALLOW AN EXISTING 34-FOOT TALL OFF-PREMISE ADVERTISING (BILLBOARD) SIGN TO BE RAISED TO 55 FEET WHERE 40 FEET IS THE MAXIMUM HEIGHT PERMITTED at 2801 Westwood Drive (APN 162-08-604-001), M (Industrial) Zone, Ward 1 (Moncrief).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the existing sign was erected to a height of 34 feet. The Treasure's Adult Cabaret was constructed on the subject property to a height of 45 feet, which obstructed approximately 10-15% of the sign obstructed the southbound traffic. The applicant stated that the advertising value of the sign has declined; consequently, the applicant is requesting a Variance to raise the existing sign to a height of 55 feet. No evidence is provided that a hardship exists to warrant a variance in the required sign height.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 64 – VAR-4733

MINUTES – Continued:

This Off-Premise Advertising (Billboard) Sign is located within 300 feet of another billboard to the south and within 750 feet of four other billboards on both sides. If the present sign were removed, it could not be reconstructed, as it could not meet the separation standards. Therefore, clearly, the hardship is self-imposed. Although the hardship may not be of the applicant's own making, it also is not of the Zoning Code's making.

SCOTT NAFTZGER, Outdoor Advertising, 1863 Helm Drive, used the overhead to reiterate MR. LEOBOLD'S overview of the proposed project. He added that although the Code allows up to 40 feet, there is a provision that would allow changing the height to 55 feet if warranted. In addition, MR. NAFTZGER felt that increasing the height would not set a precedent because other signs in the area range from 80-105 feet.

In response to COMMISSIONER McSWAIN'S question regarding relocating the sign, MR. NAFTZGER replied that if the sign was relocated, it would be in the state right-of-way. She understood that the applicant did not impose this hardship; however, she felt that the sign stuck out profusely along the freeway and opposed increasing the height to 55 feet. MR. NAFTZGER stated that the property owner retained the rights of this billboard. COMMISSIONER McSWAIN asked if MR. NAFTZGER would be willing to hold the item and make some revisions reflecting a change in the décor and the architecture like that of the Treasure's sign. MR. NAFTZGER replied that the applicant would be willing to make the changes but requested not holding the item and only place it as a condition. COMMISSIONER McSWAIN informed MR. NAFTZGER that she preferred and recommended seeing the revisions prior to any approval.

COMMISSIONER STEINMAN concurred with COMMISSIONER McSWAIN and added that his opinion is that the sign is not obscured at all, as he has driven past the sign. He believed that the applicant simply wanted increased visibility, which he felt, was not a necessity.

VICE CHAIRMAN NIGRO referenced signage examples CHAIRMAN TRUESDELL obtained from signage companies and had presented at a previous Planning Commission workshop and hoped that it would facilitate some modifications to the current Code. He concurred with the Commission's comments. He felt that in areas of Las Vegas, such as inner city areas, structures are being built vertically; however, it is not a means of justification for a sign Variance.

COMMISSIONER McSWAIN asked and then confirmed that MR. NAFTZGER preferred that the Commission deny the application rather than abeying the item, as he would rather have a condition stipulating the requested changes and not have to reappear before the Commission with those changes.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 64 – VAR-4733

MINUTES – Continued:

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(10:24 – 10:33)

3-2500

CONDITIONS:

Planning and Development

1. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The applicant shall acquire all necessary permits from the Department of Building and Safety.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4728 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY - Request for a Special Use Permit FOR A PROPOSED MIXED-USE DEVELOPMENT on 0.48 acres at 821, 827, and 829 South Casino Center Boulevard and 205 Hoover Avenue (APN 139-34-410-062, 063, 064, and 065), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

ABEYANCE TO THE 9/9/04 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 9/9/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and HOLD IN ABEYANCE Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-46 22], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; TABLE Item 2 [TMP-4706] and Item 74 [SDR-4730]; and WITHDRAW WITHOUT PREJUDICE Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 65 – SUP-4728

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-4728 - PUBLIC HEARING - SDR-4727 - APPLICANT: NEWPORT LOFTS - OWNER: SEEGMILLER PARTNERS, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of Downtown Centennial Plan building setback standards FOR A PROPOSED MIXED-USE DEVELOPMENT CONSISTING OF A 22-STORY BUILDING OF 137 RESIDENTIAL UNITS AND 11,500 SQUARE FEET OF RETAIL on 0.48 acres at 821, 827, and 829 South Casino Center Boulevard and 205 Hoover Avenue (APN 139-34-410-062, 063, 064, and 065), C-2 (General Commercial) Zone and R-4 (High Density Residential) under Resolution of Intent to C-2 (General Commercial) Zone, Ward 1 (Moncrief).

ABEYANCE TO THE 9/9/04 PC MEETING

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends ABEYANCE TO THE 9/9/04 PC MEETING

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and **HOLD IN ABEYANCE** Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; **TABLE** Item 2 [TMP-4706] and Item 74 [SDR-4730]; and **WITHDRAW WITHOUT PREJUDICE** Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 66 – SDR-4727

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - SUP-4739 - PUBLIC HEARING - APPLICANT/OWNER: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 10,000 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 201 North Third Street (APN 139-34-510-012), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open on Item 67 [SUP-4739], Item 68 [SUP-4741], Item 69 [SUP-4742] and Item 70 [SUP-4743].

MARGO WHEELER, Planning and Development, stated that the Special Use Permit (SUP) applications are to convert the former Trolley Stop Casino into a multi-venue entertainment area adjacent to the 3rd Street Promenade across from the Lady Luck Casino and Hotel. In conjunction with this property and the proposed improvements for this area, it would be a major boom for Downtown and would add multiple eating and entertainment variety to the area north

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 67 – SUP-4739

MINUTES – Continued:

of the Fremont Street Experience. Although the applications are in compliance with the goals of the Downtown Casino and Entertainment venues/interests, the Waivers are necessary because it is not within the Entertainment District, which is the area east of Las Vegas Boulevard. The applicant has a very ambitious plan, which also include the improvements for the vacated 3rd Street area, which the Commission would hear at the next Planning Commission meeting. The requests for the SUPs entail the improvements for the taverns of the four venues.

ROBERT O'NEIL, 3rd Street Promenade, 450 S. Fremont Street, concurred with MS. WHEELER'S overview of the proposed project. He added that they are excited about this project and hope to open in the fall.

COMMISSIONER GOYNES stated this was a great project and looks forward to its opening.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed on Item 67 [SUP-4739], Item 68 [SUP-4741], Item 69 [SUP-4742] and Item 70 [SUP-4743].

(10:33 – 10:38)

3-2950

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).
3. Signage for the parcel shall be subject to the requirements of the Downtown Casino Overlay District in accordance with Title 19.06.100.
4. The trash enclosure shall be walled and roofed and the mechanical equipment shall be screened from adjacent rights-of-way in accordance with the requirements of Title 19.08.045.
5. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-4739 - PUBLIC HEARING - SUP-4741 – APPLICANT/OWNER: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A 5,500 SQUARE FOOT PROPOSED LIQUOR ESTABLISHMENT (TAVERN) at 207 North Third Street (APN 139-34-510-013), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 67 [SUP-4739] for all related discussion on Item 67 [SUP-4739], Item 68 [SUP-4741], Item 69 [SUP-4742] and Item 70 [SUP-4743].

(10:33 – 10:38)

3-2950

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 68 – SUP-4741

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).
3. The trash enclosure shall be walled and roofed and the mechanical equipment shall be screened from adjacent rights-of-way in accordance with the requirements of Title 19.08.045.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-4739 AND SUP-4741 - PUBLIC HEARING - SUP-4742 - APPLICANT/OWNER: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 6,000 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 207-A North Third Street (APN 139-34-510-013), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 67 [SUP-4739] for all related discussion on Item 67 [SUP-4739], Item 68 [SUP-4741], Item 69 [SUP-4742] and Item 70 [SUP-4743].

(10:33 – 10:38)

3-2950

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 69 – SUP-4742

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
2. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).
3. The trash enclosure shall be walled and roofed and the mechanical equipment shall be screened from adjacent rights-of-way in accordance with the requirements of Title 19.08.045.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT RELATED TO SUP-4739, SUP-4741 AND SUP-4742 - PUBLIC HEARING - SUP-4743 - APPLICANT: THIRD STREET PROMENADE, LIMITED LIABILITY COMPANY - OWNER: MARILYN L. MILLER - Request for a Special Use Permit and a Waiver of the 1,500 foot distance separation requirement FOR A PROPOSED 4,050 SQUARE FOOT LIQUOR ESTABLISHMENT (TAVERN) at 217 North Third Street (APN 139-34-510-015), C-2 (General Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

APPROVALS RECEIVED BEFORE:

**Planning Commission Mtg.
City Council Meeting**

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

NOTE: See Item 67 [SUP-4739] for all related discussion on Item 67 [SUP-4739], Item 68 [SUP-4741], Item 69 [SUP-4742] and Item 70 [SUP-4743].

(10:33 – 10:38)

3-2950

CONDITIONS:

Planning and Development

1. This Special Use Permit shall expire one year from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 70 – SUP-4743

CONDITIONS – Continued:

2. The 1,500-foot distance separation requirement for the Liquor Establishment (Tavern) use is hereby waived in accordance with Title 19.04.050(B).
3. The trash enclosure shall be walled and roofed and the mechanical equipment shall be screened from adjacent rights-of-way in accordance with the requirements of Title 19.08.045.
4. All City Code requirements and design standards of all City departments must be satisfied.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4683 - APPLICANT: REAGAN NATIONAL ADVERTISING OF NEVADA - OWNER: ANER IGLESIAS TRUST -
Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 840 North Decatur Boulevard (APN 138-30-301-002), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – DENIED – UNANIMOUS with TRUESDELL and EVANS excused

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that a similar request was made for an Off-Premise Advertising (Billboard) Sign on this site last year. The applicant withdrew the application after the staff and Planning Commission recommended that it be denied. An on-premise sign and a wireless communication facility already exist on this site. Another wireless communication facility is located on the back part of the property that faces north. Title 19.14.100 (B) (2) states the Planning Commission and City Council may consider the aesthetic impact of the sign on the area and all other aspects of the signs compatibility with the surrounding area. This proposed billboard would add substantial visual clutter that is not appropriate at this location.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 71 – SUP-4683

MINUTES – Continued:

ANDY BILANZICH, 1464 E. Michigan Avenue, expressed his concern regarding staff recommending denial on the application; there were two other applications for projects on Decatur Boulevard that staff recommended approval. He stated there were no protests and concurred with staff's recommendations.

HAROLD FOSTER, 3230 Polaris Avenue, appeared on behalf of Friendly Ford, who strongly opposed to the proposed billboard sign, as it would set a precedent for more billboards in this area. He stated the property is getting cluttered with on premise signs and other uses. He used the overhead and referenced the King Ranch Market sign, which is 30 feet high, and showed how the proposed billboard would be directly behind it. He felt that the proposed billboard sign was not appropriate for this part of the City's redevelopment area. In addition, the sign would be an obstruction of view, thus, the applicant would then want to increase the height of the sign.

MR. BILANZICH responded that the proposed billboard was designed so that it would be the farthest distance from the King Ranch Market sign. The site plan reflects how the structure is v-shaped and attempts have been made to work around the existing King Ranch Market sign.

COMMISSIONER McSWAIN stated that she objects to having billboards located in areas where it is predominantly residential. She then concurred with staff's recommendation.

VICE CHAIRMAN NIGRO declared the Public Hearing open.

(10:38 – 10:44)

3-3210

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4689 - SPECIAL USE PERMIT - APPLICANT: LAS VEGAS BILLBOARDS - OWNER: JERRY APPELHANS AND DEBRA TENNARIELLO - Request for a Special Use Permit FOR A PROPOSED 40-FOOT TALL, 14-FOOT BY 48-FOOT OFF-PREMISE ADVERTISING (BILLBOARD) SIGN at 1301 North Main Street (APN 139-27-502-007), C-M (Commercial/Industrial) Zone, Ward 5 (Weekly).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

STEINMAN – DENIED – Motion carried with GOYNES voting No and TRUESDELL and EVANS excused

This is Final Action

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that immediately west of the subject property is the Paiute Indian Community Center, with mobile and modular homes that are residences of the Paiute Indians. The residences are located within 300 feet of the location of the proposed billboard sign. Even though the homes of the Paiute Indians are located on land outside of the City's zoning jurisdiction, the integrity of the Paiute Indian residences should be protected.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 72 – SUP-4689

MINUTES – Continued:

By the goals, objectives and policies established in the Downtown North Land Use Plan, it is clear that the focus of the Plan is to enhance properties in this area, particularly those in close proximity to residential development, in which this proposed billboard sign would be in contradiction.

KAREN RICHARDSON, 815 Pilot Road, appeared on behalf of Lucy Stewart. MS. RICHARDSON stated that the parcel is odd shaped, and efforts were made to position the proposed billboard sign at the farthest possible point from the Paiute area, approximately 272 feet. She added that the area is commercial and industrial and believed the billboard sign is compatible with the area.

COMMISSIONER GOYNES stated that the area is somewhat industrial, and there is not an over saturation of billboard signs. It is a good location because the proposed billboard sign would be in close proximity of the railroad tracks and the freeway.

DAVID CLAPSADDLE, Planning and Development, confirmed for COMMISSIONER DAVENPORT that the Planning Commission recently approved a Veteran's low-income housing facility, which would be located near this proposed billboard sign.

COMMISSIONER STEINMAN stated by placing the proposed billboard sign in this area would only contradict the efforts being made to clean up and improve this area, so he would not support this application.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(10:44 – 10:48)

3-3556

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER ☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT - PUBLIC HEARING - SUP-4744 - APPLICANT/OWNER: HUBERT R. POWELL AND RENEE C. RAMBERG - Request for a Special Use Permit FOR A GUEST HOUSE ON A LOT WHOSE WIDTH IS LESS THAN 80 FEET, AND WHICH CONSISTS OF MORE THAN ONE OCCUPANT ROOM, A BATHROOM AND A WALK-IN CLOSET at 2808 Mason Avenue (APN 162-05-514-008), R-1 (Single-Family Residential) Zone, Ward 1 (Moncrief).

C.C.: 09/15/04 - IF DENIED: P.C.: FINAL ACTION (Unless appealed within 10 days)

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that conditions not met on this application is the 80-foot lot width provision and the requirement for only one occupant room, bathroom and walk-in closet. Although it was not included on the floor plan, a kitchen could easily be built into the area next to the sink, refrigerator and dishwasher. If the application was approved, the applicant would have to meet the remaining conditions for a guest house.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 73 – SUP-4744

MINUTES – Continued:

RENEE RAMBERG, 2808 Mason Avenue, stated that there is only one large room, a walk-in closet, bathroom and a storage area. Their plan is to use the bathroom for the pool area. They do not have a garage and would like to keep their circled driveway and not take away the look of the McNeil estates by building a garage in front of their home. As a result, they would like to use the storage space as a game room and also store seasonal items and sports equipment.

CHARLIE CARTER, 2812 Mason Avenue, stated that they reside next door to the applicant and have lived in the area for 13 years. Although the neighborhood is old and worn in certain areas, she loved the neighborhood. In addition, she stated that MS. RAMBERG has moved into the neighborhood a few months ago, but they are impressed and amazed at what has been done to upgrade their home. They have cleaned up their yard, painted and installed new windows. MS. RAMBERG and her family efforts have only inspired or shamed the residents into doing some of their own renovations. MS. CARTER felt that individuals pay a lot more for casitas on model homes and believed that this proposed project would only add value to their homes. She added that she supported MS. CARTER'S proposed project.

For the record, MS. RAMBERG stated that the photos on the overhead were not photos of her property.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(10:48 – 10:52)

3-3842

CONDITIONS:

Planning and Development

1. Conformance to the remaining requirements of Title 19.04.040 for a Guest House/Casita use.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

4. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to the issuance of any building or grading permits, whichever may occur first. Provide and improve all drainageways as recommended.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT S. GENZER**☐**CONSENT**☒**DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4730 - APPLICANT: PICERNE DEVELOPMENT CORPORATION - OWNER: CLIFF'S EDGE, LIMITED LIABILITY COMPANY - Request for a Site Development Plan Review and a Waiver of the Cliffs Edge Setback Standards FOR A PROPOSED 392-UNIT MULTI-FAMILY RESIDENTIAL DEVELOPMENT on 15.69 acres adjacent to the southwest corner of Dorrell Lane and Hualapai Way (APN 126-24-601-002, 003 and 021), PD (Planned Development) Zone [Medium Density Residential Cliff's Edge Special Land Use Designation], Ward 6 (Mack).

C.C. 09/15/04**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – Motion to bring forward and **HOLD IN ABEYANCE** Item 16 [SDR-4740], Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] to 8/26/2004 Planning Commission meeting; Item 35 [GPA-4548], Item 36 [ZON-4554], Item 37 [VAR-4677], Item 38 [SDR-4555], Item 49 [MSP-4622], Item 65 [SUP-4728] and Item 66 [SDR-4727] to 9/09/2004 Planning Commission meeting; Item 11 [SUP-4694] to 9/23/2004 Planning Commission meeting; **TABLE** Item 2 [TMP-4706] and Item 74 [SDR-4730]; and **WITHDRAW WITHOUT PREJUDICE** Item 12 [SUP-4732] – Motion carried with McSWAIN abstaining on Item 74 [SDR-4730] as her firm is presently doing work for the applicant and TRUESDELL AND EVANS excused

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 74 – SDR-4730

MOTION – Continued:

NOTE: Prior to being advised that the item would be held in abeyance, COMMISSIONER McSWAIN disclosed that she would be voting on Item 16 [SDR-4740] despite previous personal and professional representation by Mr. Reynolds and Mr. Callaster. She noted that she has not had conversations with either individual regarding this application. In addition, when Item 50 [MOD-4632], Item 51 [WVR-4754] and Item 52 [SDR-4751] are before the Planning Commission on 8/26/2004, she will be abstaining, as her firm is bidding work for Royal Construction.

MINUTES:

DAVID CLAPSADDLE, Planning and Development, stated that letters were received for each request.

No discussion took place.

(6:06 – 6:10)

1-84

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

☒

DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - SDR-4750 - APPLICANT: ARNOLD ROSS STALK - OWNER: J & D FINANCIAL SERVICES, INC.
- Request for a Site Development Plan Review and Waivers of perimeter and foundation landscaping, building placement, exterior accent strip lighting being within 300 feet of residential property, and parking lot landscaping FOR A PROPOSED 60,000 SQUARE-FOOT COMMERCIAL CENTER on 5.4 acres adjacent to the northwest corner of Fremont Street and 25th Street (APN 139-35-815-002), C-2 (General Commercial) Zone, Ward 3 (Reese).

C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

NOTE: Vice Chairman Nigro stated that he is on the Board of Directors of the Habitat for Humanity. He felt there would not be a conflict, so he would be voting on this item.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

GARY LEOBOLD, Planning and Development, stated that the proposed commercial center consists of a Latin-themed supermarket building and an in-line retail building, with offices located on the second floor, which are connected via a central plaza. The central plaza creates a sense of an “urban streetscape” in which cultural exhibits and events can occur.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 75 – SDR-4750

MINUTES – Continued:

The applicant has requested waivers of the Commercial Development Standards for the placement of the buildings within the site, perimeter and foundation landscaping, exterior accent strip lighting being within 300 feet of residential property, and interior spacing of trees for parking along the edges of the property. The requested waivers are acceptable due to overall design of the project would become unfeasible. Additionally, a multi-use transportation trail will run the length of the western property line along the Eastern Avenue street frontage.

ARNOLD STOCK, Metro Development Group, 7432 W. Sahara Avenue, Las Vegas, Nevada, stated that La Plaza de Las Vegas would be the focal point of the Hispanic community in Downtown Las Vegas. The central plaza would operate 24 hours with mixed uses, such as entertainment, shopping, business, music, arts and cultural events throughout the year. He continued by giving an overview of the proposed project and the Hispanic population in Las Vegas, including what impact the Hispanic tourists would have on the central plaza. He felt that the proposed project would compliment and enhance the downtown redevelopment revitalization efforts, as it would also create 150 construction jobs and 200 part time and full time jobs. Lastly, he expressed his excitement and how fortunate he was to be a part of the redevelopment process of Downtown Las Vegas.

COMMISSIONER McSWAIN wished the applicant much success. MR. STOCK informed VICE CHAIRMAN NIGRO and the Commission that the plan is to break ground in the second quarter of next year.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.
(10:52 – 10:58)

4-246

CONDITIONS:

Planning and Development

1. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
2. All development shall be in conformance with the site plan and building elevations, date stamped 08/02/04, except as amended by conditions herein. The applicant shall be required to schedule a post-approval conference with the Departments of Planning and Development and Public Works should the required engineering studies cause changes to the site plan or building elevations.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 75 – SDR-4750

CONDITIONS – Continued:

3. Any change in uses or square footage as identified on the approved Site Plan may result in the need for a parking Variance.
4. Waivers are granted to permitted to allow no foundation landscaping, reduced perimeter tree spacing, exterior accent lighting within 300 feet of residential property and place the building away from the property line.
5. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 12.5 % of the total landscaped area as turf.
6. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
7. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the proper development standards for a Multi-Use Transportation Trail, as depicted in the Transportation Trails Element of the Las Vegas General Plan, as well as, depicting minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within the remaining landscape planters.
8. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.]
9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. Air conditioning units shall not be mounted on rooftops.
11. Parking lot lighting standards shall be no more than 20 feet in height and shall utilize 'shoe-box' fixtures and downward-directed lights. Wallpack lighting shall utilize 'shoe-box' fixtures and downward-directed lights on the proposed building. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 75 – SDR-4750

CONDITIONS – Continued:

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

15. Dedicate an additional 8 feet of right-of-way for a total half-street width of 40 feet for that portion of 25th Street not previously dedicated adjacent to this site prior to the issuance of any permits. Additional dedication for a deceleration lane along Fremont Street acceptable to the City Traffic Engineer and dedication for the portion of the bus turn out along Eastern Avenue not previously dedicated shall also be provided unless specifically not required in the approved Traffic Impact Analysis.
16. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Construct a deceleration lane on Fremont Street acceptable to the City Traffic Engineer adjacent to this site concurrent with development of this site.
17. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.
18. Landscape and maintain all unimproved rights-of-way on Fremont Street, 25th Street, and Eastern Avenue adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Eastern Avenue and 25th Street public rights-of-way adjacent to this site prior to occupancy of this site. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Fremont Street public right-of-way adjacent to this site prior to the issuance of any permits.
20. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the west prior to the issuance of any permits.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 75 – SDR-4750

CONDITIONS – Continued:

21. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
22. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

☐

CONSENT

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DISCUSSION

SUBJECT:

VACATION - PUBLIC HEARING - VAC-4071 - APPLICANT: WRG DESIGN, INC. - OWNER: PALM MORTUARY, INC. - Petition to Vacate Deer Springs Way between Jones Boulevard and Maverick Street; and Maverick Street between Deer Springs Way and Rome Boulevard, Ward 6 (Mack).

SET DATE: 09/01/04 C.C. 09/15/04

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends DENIAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

GOYNES – APPROVED subject to conditions – UNANIMOUS with TRUESDELL and EVANS excused

To be heard by the City Council on 9/15/2004

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

VICE CHAIRMAN NIGRO requested that this item be moved up on the agenda for discussion prior to the One Motion One Vote items.

GARY LEOBOLD, Planning and Development, gave a brief history of the application. He then stated that applicant's intent is to vacate public rights-of-way in order for this area to be incorporated into the adjacent development. Staff felt that this was not appropriate, as the subject rights-of-way are needed to provide access to properties fronting on the subject streets.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 76 – VAC-4071

MINUTES – Continued:

In addition, approval will result in reduced traffic handling capability for the area and eliminating legal access to existing parcels. Since the item was tabled, the applicant has met with staff from both Public Works and Planning and Development, as well as with Clark County planning staff, to discuss outstanding items of concern. There would be signed affidavits from all affected property owners (including those to the west in the County along Deer Springs Way), which clearly stated that they understood the effect of a Vacation and agree nonetheless. Some of the affidavits received were not clear as to what the property owners agreed to. In addition, the submittal of an application for a Special Use Permit for a private street was required; and the area covered by the private street must be mapped as a common lot.

To date, none of these requirements have been met. As additional vacation of adjacent lands within Clark County must also occur, and be recorded simultaneously with this application, a related Vacation application must be filed with Clark County as well. In addition, no such Vacation request has been filed with the County. As a result of these circumstances, staff recommended denial of the application.

TRINA FIERRO, 56 E. Sahara, appeared along with LUCY STEWART, JAY BINGHAM and PAUL LARSEN, Attorney. MS. FIERRO appreciated the meetings held regarding this item. She referenced affidavits she obtained from residents who abut this property and then used the overhead to show photos of this property. She stated that the area is a great agriculture ranch area. She stated that the request is to vacate the area on Deer Springs Way right above Palm Mortuary between Jones Boulevard and Maverick Street. She concluded by thanking the Commission for moving the item forward due to some extenuating circumstances.

MS. STEWART used the overhead to reiterate the areas marked in red on the map that were already vacated in Clark County. She added that Deer Springs is not connected to anything, other than a portion to the west of this site. She pointed out that the required documents have not been submitted, as they thought it was best to present the item before the Commission and City Council to see if this was appropriate prior to incurring further expenses. In response to MR. LEOBOLD'S comment regarding some residents were not clear on their signed affidavits, MS. FIERRO requested residents in the audience, by a show of hands in excess of ten residents, who affirmed they understood what they had signed and are in support of this application.

ATTORNEY LARSEN disagreed with staff's comments regarding creating and administrating a common lot via homeowner's association. He stated that the Code specifically states "unless otherwise ordered by the Council, this has to be done". Because this is a singular parcel, the applicant is requesting to allow the dedicated portions of the street to revert back to the abutting property owners, which do not require a map or a homeowner's association. Instead of being a

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 76 – VAC-4071

MINUTES – Continued:

public street, the area would become property of the abutting property owners. This meets the Code, in which the exception exists to address situations like this one.

MICHAEL GLEASON, 6640 Rebecca Road, DAVID CHESNOFF, 6575 Deer Springs, and BRODY McFARLAND, 6901 N. Jones Boulevard, all stated that they, as well as, other residents understood the applicant's request and are in support of this application. In addition, there are cattle and horses and farmers who work with tractors and barrel hay. The residents would like to preserve this agricultural area that symbolizes a part of Las Vegas. MR. CHESNOFF added that nearby residents, JEFF AND JANIE GALE, are in support of this application as well. PHIL DAVIS, 3225 S. Rainbow, property owner of five acres next to Palm Mortuary, stated he would be doing half-acre lots on his property and the entrance would be off of Rome Boulevard. He then added that he supported the application.

In response to COMMISSIONER STEINMAN question regarding who would maintain this portion of land without a homeowner's association, ATTORNEY LARSEN responded that each individual owner has his/her portion of the road to maintain. VICE CHAIRMAN NIGRO added that this portion of land would not be considered a road any longer. ATTORNEY LARSEN then stated that the surrounding property owners would have a right of access because this area of land was initially a road. Should a resident not maintain his/her portion of the road, the residents could petition, as the issue would possibly end up in litigation. COMMISSIONER STEINMAN commented that he viewed the property and was impressed with this area being a true rural area. If the residents would like to maintain this area, he could support this application. JAY BINGHAM, 6200 Deer Springs, stated that most of the residents do not want to maintain the area; they prefer that it remains rural. The residents continue to have meetings, and when necessary, they maintain the road.

Responding to COMMISSIONER McSWAIN'S question regarding dust issues, ATTORNEY LARSEN replied that the property owners are assuming this liability. Should there be any problems, the Department of Air Quality would cite the resident. MS. FIERRO added that the south end of Palm Mortuary, on Rome Boulevard, would be the access for other property owners that come off of Jones Boulevard. MR. CHESNOFF commented that it is not their objective to keep the general public out of this area. MR. BINGHAM reiterated that the intent is to keep this area rural. The residents do not want to see this land eventually turning into a six lane major thoroughfare. MR. CHESNOFF added that he, the GALE'S, the GLEASON'S and the STERN'S have spent almost \$4,000 within the last month for maintenance on the property and are willing to continue to maintain it when necessary. COMMISSIONER McSWAIN then stated that her concern is the long-term effect this would have in this area, as the population will increase. She pointed out the photos that depicted signs that read "Do Not Enter".

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 76 – VAC-4071

MINUTES – Continued:

VICE CHAIRMAN NIGRO explained that there would be no right-of-way and this would be part of their property. So, these residents could close off the streets and this area would become a part of the residents' front or back yards. He felt that the residents' intention was not to create this kind of situation but to simply maintain their rural area. ATTORNEY LARSEN stated although it has not happened, a resident could state that there would be a right-of-access to cross the property for the abutting property owners and not for the general public. VICE CHAIRMAN NIGRO added that it would be difficult for a resident to mandate that someone could not drive over his or her front yard in order to get to the public right-of-way in order to even go grocery shopping.

BART ANDERSON, Public Works, stated Public Works' main concern is to ensure that Condition 9, regarding legal access rights, be enforced. MR. ANDERSON disagreed with ATTORNEY LARSEN, as he felt it was not acceptable to just rely on prescriptive easements that are enforced by lawsuits. It is MR. ANDERSON'S opinion and a required condition that all of the participants in the Vacation must all sign and record easements granting these rights to their neighbors. They do not need to have public access, but there needs to be access in favor of all the parcels that are losing public access. ATTORNEY LARSEN commented that Condition 9 could be addressed by different means, such as a Reciprocal Easement Agreement (REA). VICE CHAIRMAN NIGRO replied that the applicant would have to work with the staff to make sure this condition is enforced, whether or not through an REA. MR. ANDERSON stated that Condition 9 is not specific as to how to enforce it; however, other conditions stipulate that it must be a common lot held in common by all property owners. ROBERT GENZER, Planning and Development, referenced another application where a group requested to vacate certain streets. The application was denied due to the inability to create the required common lot. He suggested that if this application was approved, Condition 3 needed to remain, as it is a Code requirement. MS. FIERRO concurred with MR. GENZER.

VICE CHAIRMAN NIGRO supported the application, in spite of logistical issues that needed to be handled through the process. MS. STEWART stated that they would work with staff prior to City Council to address those issues. COMMISSIONER GOYNES stated he would support the application, with emphasis on the support from the residents in attendance. DEPUTY CITY ATTORNEY BRYAN SCOTT confirmed for COMMISSIONER DAVENPORT that Condition 9 would cover the recording of the property, which would include the successive owner of the property.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:33 – 7:01)

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 76 – VAC-4071

CONDITIONS:

Planning and Development

1. A Petition of Vacation for the west half of Maverick Street shall be approved and recorded by Clark County concurrent with this Order of Vacation.
2. Prior to the recordation of this Petition of Vacation, the applicant shall reimburse the City of Las Vegas \$16,765.20 for the radius at the northwest corner of Jones Boulevard and Deer Springs Way.
3. Prior to the recordation of this Petition of Vacation the applicant shall provide a plan acceptable to the controlling entity, City of Las Vegas and/or Clark County Department of Public Works dependent upon location of terminus, showing an acceptable terminus for Deer Springs Way. All dedications necessary to provide the terminus shall record concurrent with this Order of Vacation. Also construct terminus street improvements as required by the controlling entity, City of Las Vegas and/or Clark County Department of Public Works dependent upon location of terminus.
4. This Petition of Vacation shall be amended to retain a 20-foot wide public sewer easement centered over the existing sewer line in Deer Springs Way.
5. A Drainage Plan and Technical Drainage Study or other related drainage information acceptable to the Flood Control Section must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study.
6. All existing public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
7. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
8. All development shall be in conformance with code requirements and design standards of all City departments.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
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CONDITIONS – Continued:

9. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five-foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
10. If the Order of Vacation is not recorded within one (1) year after approval by the City Council and the Planning and Development Director does not grant an Extension of Time, then approval will terminate and a new petition must be submitted.

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT S. GENZER

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CONSENT

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DISCUSSION

SUBJECT:

DIRECTOR'S BUSINESS - PUBLIC HEARING - DIR-4859 - APPLICANT: CITY OF LAS VEGAS - Discussion and possible action to approve the Preliminary Plan for the selection of additional Redevelopment area and finding of compatibility with the City of Las Vegas Master Plan, pursuant to NRS 279.524 through 530.

THIS WILL BE SENT TO CITY COUNCIL IN ORDINANCE FORM

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

0

RECOMMENDATION:

Staff recommends APPROVAL

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

McSWAIN – APPROVED – UNANIMOUS with TRUESELL and EVANS excused

This will be sent to City Council in Ordinance Form

NOTE: Commissioner Davenport stated that his office is located one block outside of the Notification area, so he would vote on this item.

MINUTES:

VICE CHAIRMAN NIGRO declared the Public Hearing open.

STEVE VAN GORP, acting Redevelopment Manager, Las Vegas Redevelopment Agency, appeared with LARRY BENDER, Consultant, Bender and Associates. MR. VAN GORP used the overhead to point out proposed locations that the City of Las Vegas Redevelopment Agency decided to include in its Redevelopment Plan.

PLANNING COMMISSION MEETING OF AUGUST 12, 2004
Planning and Development Department
Item 77 – DIR-4859

MINUTES – Continued:

Those areas are Martin Luther King corridor from Alta to U.S. 95, the Bonanza corridor from Martin Luther King to Cox campus at Rancho, the industrial corridor from south on Charleston to Desert Inn, and the north side of Sahara Avenue between 6th and Maryland Parkway. The applicant felt that areas like this are suitable for redevelopment with new opportunities for better land uses.

MR. BENDER stated that the Nevada Revised Statutes (NRS) 279.608 are extremely general. The Redevelopment staff, along with the City Attorney's office and its consultant, decided to follow the more detailed process that is used for creating a new redevelopment agency. One of the first steps in this process required the Agency and the Planning Commission to develop a Preliminary Plan, which has been done. The Preliminary Plan has been reviewed and is in conformance with the Las Vegas Master Plan.

COMMISSIONER GOYNES was pleased that this project is expanding in more areas. Moreover, he hopes that there is not a saturation of redevelopment in certain areas and other areas are neglected. MR. VAN GORP responded that West Las Vegas and the downtown fringy areas will be very important in the long term strategy. Over the next 25 years, the area surrounding the downtown core will be the most important. COMMISSIONER GOYNES pointed out a specific area, which is north of Bonanza, the heart of the West side of Las Vegas. His plea was that this area would not be forgotten, as MR. VAN GORP wholeheartedly agreed.

No one appeared in opposition.

VICE CHAIRMAN NIGRO declared the Public Hearing closed.

(6:12 – 6:19)

1-244



PLANNING COMMISSION AGENDA
PLANNING COMMISSION MEETING OF: AUGUST 12, 2004

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE PLANNING COMMISSION AGENDA CANNOT BE ACTED UPON BY THE PLANNING COMMISSION UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN COMPLIED WITH. THEREFORE, ACTION ON SUCH ITEMS WILL HAVE TO BE CONSIDERED AT A LATER TIME.

MINUTES:

None

MEETING ADJOURNED AT 10:58 P.M.

Respectfully submitted:

ARLENE COLEMAN, DEPUTY CITY CLERK

YDOLEENA YTURRALDE, DEPUTY CITY CLERK